## London Borough of Waltham Forest

<table>
<thead>
<tr>
<th>Committee/Date:</th>
<th>Planning – 7th May 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application reference:</td>
<td>183989</td>
</tr>
<tr>
<td>Applicant:</td>
<td>LBWF Property and Asset Management</td>
</tr>
<tr>
<td>Location:</td>
<td>“Juniper House”, 221 Hoe Street, Walthamstow, London</td>
</tr>
<tr>
<td>Proposed development:</td>
<td>Demolition of existing office and construction of a part-four and part-sixteen storey building comprising a commercial unit (flexible Use Class B1(a)/A1/A3/A4/D1) at ground level; 91 residential units (Use Class C3) and a two-storey building comprising a nursery (Use Class D1) together with associated landscaping improvements, public realm works, car parking and refuse and cycle storage.</td>
</tr>
<tr>
<td>Wards affected:</td>
<td>Hoe Street</td>
</tr>
<tr>
<td>Appendices:</td>
<td>None</td>
</tr>
</tbody>
</table>

## Recommendation

1.1 That planning permission be GRANTED subject to conditions and infortimates, Stage 2 Referral to the GLA and completion of a Unilateral Undertaking (UU) with Heads of Terms listed below.

1.2 In the event that the UU is not completed within 12 weeks of the date of the Planning Committee the Head of Development Management and Building Control is hereby authorised to refuse the application. The planning obligation is necessary to make the development acceptable in planning terms. In the absence of the Section 106 agreement the Council would not be able to ensure that:

- The aims of policies seeking the creation of employment opportunities and jobs growth are met;
- Potential air quality impacts of the development are mitigated;
- Measures are in place to improve the public realm and promote sustainable travel options and reduce car use; and
- Design quality is maintained.

## Heads of Terms

1.3 **Local Labour and Employment**

- £251,125 mitigation for the loss of employment
- Local Labour Agreement – 5 construction training placements
- Employment and Training Project Plan (Construction Period) to be provided
- 15 Apprenticeships

1.4 **Transport & Highways**

- Highways Improvement Works
  
  Renewal of the site access and surrounding footways on First Avenue.
  
  Renewal of the carriageway in First Avenue will also be required between No.29 and including the junctions with Second Avenue, Third Avenue, and Orford Road.
  
  Public realm that lies next to the site at the junction of Hoe Street with First Avenue is to be upgraded.

- £100,000 towards mitigation measures for servicing and delivery using residential roads on First Avenue

- £50,000 towards the extension of the CPZ days and hours of operation to ensure there is no parking overspill resulting from this development.

1.5 - £30,000 towards one year of additional parking enforcement to ensure that nursery pick up and drop off does not become established using residents bays in First Avenue.

1.5 A financial contribution of £4,000 is requested for monitoring of the Travel Plan.

**Sustainability**

1.6 A financial contribution of £49,788 towards a carbon offset fund. The applicant is required to pay 50% of the calculated contribution prior to commencement of development. The remainder of the contribution should become due prior to first occupation of any part of the development, with this final amount based on the findings of a post-construction approved carbon emissions report.

**Air Quality**

1.7 - £18,600 towards the implementation of the Council’s Air Quality Action Plan.

**Retention of Architect**

1.8 Unless otherwise agreed in writing by the Council, the applicant shall retain the architect during the build phase until completion.

**Legal Fees**

1.9 Payment of the Council’s legal fees for the preparation and completion of the Legal Agreement.

**Minor Amendments**

1.10 That authority to be given to the Head of Development Management and Building Control in consultation with the Council’s Legal Services for the sealing of the Unilateral Undertaking and to agree any minor amendments to the conditions or the Legal Agreement on the terms set out above.
REASONS REFERRED TO COMMITTEE

1.11 Due to the nature of the proposal, the significant scale of development and significant public interest.

2 SITE AND SURROUNDINGS

2.1 The site extends to approximately 0.34 hectares in area.

2.2 The site is bounded by residential uses to the south and by the Hoe Street gyratory to the west, which is currently undergoing improvement works. To the north, the site is bounded by the Chingford - Liverpool Street Overground line. A new housing development is situated to the east of the site, along West Avenue.

2.3 The site is located within the major town centre of Walthamstow and is situated within close proximity to key local services, including employment and leisure amenities. The surrounding area is characterised by a mix of land uses, including residential, retail, hotel and leisure, and offices, in keeping with the town centre setting.

2.4 The prevailing townscape context is mixed, transitioning from the more suburban setting of Walthamstow village to much larger building footprints within the designated town centre. Building heights are also varied comprising taller buildings within the town centre of five to 14-storeys, transitioning to two and three-storey Victorian terraces.

2.5 The site benefits from an ‘excellent’ public transport accessibility level (‘PTAL’) rating of 6a. It has excellent public transport links being located less than 140 metres from Walthamstow Central.

3 APPLICATION PROPOSAL

3.1 It is proposed to demolish the existing office building (Use Class B1) (2,261sqm) and redevelop the site to provide a residential-led mixed use scheme that provides 91 residential units (Use Class C3), 950sqm of flexible retail/commercial space (Use Classes B1(a)/A1/A3/A4/D1) and a self-contained nursery school for 53 children (Use Class D1) (405sqm).

3.2 This would be provided within a 16-storey tower element (Block A) on the western end of the site adjacent to Hoe Street. This would step down to a 10-storey ‘shoulder’ element which would have a communal terrace (100sqm) connected to a four-storey tail element (Blocks B & C). The four-storey ‘tail’ element would have a first floor podium terrace (404sqm) along the south of the site providing joint communal amenity and child play space. Underneath this would be a services distribution area and car and cycle parking area.

3.3 A separate two-storey building (Block D) providing a nursery for 53 children is proposed at the eastern end of the site. A portion of amenity land from the neighbouring 3-storey residential block at 35-41 First
Avenue to the south-east of the site is proposed to be used in order to implement this part of the development. To the west of the nursery there would be a further communal amenity space (167sqm) for the development.

3.4 Vehicular access and servicing would be from the existing entrance on First Avenue to the south-east of the site. There would be 8 blue badge parking spaces provided and 197 cycle spaces (148 spaces including 146 for residents and 2 spaces for visitors; 38 cycle spaces for commercial use; and 11 cycle spaces for the nursery use), with the potential to achieve the Draft London Plan standards, subject to accessible car parking space demand.

3.5 The proposal would provide 50% affordable housing by habitable room with a 54%:46% split between affordable rented and intermediate tenures. The housing mix would comprise of 37 x 1 bed units, 43 x 2 bed units, 9 x 3 bed units and 2 x 4 bed, with a proportion provided as duplex units with direct access from a ‘green lane’ running along the north of the site. All units would have private amenity space in the form of balconies.

4  RELEVANT SITE HISTORY

4.1 Please find a table below listing the planning history for the site:

<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1988/46/BC</td>
<td>Erection of a 4 storey building comprising 3,240 sqm (35,000 sq ft) of offices, with provision for parking spaces</td>
<td>Permission granted 2nd November 1988</td>
</tr>
<tr>
<td>2007/1049</td>
<td>Erection of extension to form new entrance foyer; installation of a covered bicycle shelter in rear car park; installation of air conditioning units; new security fencing adjacent to railway line; new automatic security gates; and new palisade fence</td>
<td>Permission granted 4th November 2007</td>
</tr>
<tr>
<td>2011/1539/LA</td>
<td>Installation of car ports with solar panels on roof</td>
<td>Permission granted 5th January 2012</td>
</tr>
</tbody>
</table>

4.2 Please find a table below listing applications in the surrounding area that are considered to be relevant:

<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>183632 – Central House- 189-203 Hoe Street &amp; 80-84 St Mary’s Road, Walthamstow,</td>
<td>Demolition of the existing buildings and erection of an eleven-storey hotel building (Use Class C1) comprising 90 bedrooms and ancillary ground floor restaurant (3,465 sqm floorspace), and a five-storey building comprising 1,517 sqm of office floorspace (Use Class B1) and 112</td>
<td>Permission granted 28th March 2019</td>
</tr>
<tr>
<td>Location</td>
<td>Description</td>
<td>Permission</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>E17 3SZ</td>
<td>sqm of flexible commercial floorspace (Use Class A1/A2/A3/B1) at ground floor, along with associated cycle storage, car parking and landscaping.</td>
<td>Permission granted</td>
</tr>
<tr>
<td>171355 – The Mall</td>
<td>Part demolition of The Mall, and its replacement and extension by an additional 8,769sqm (Gross External Area) GEA to be used for Shops, food and drink and leisure (Classes A1, A3, D2), Creation of 42 residential units (Use Class C3) up to a maximum height of 49m, Redesign of Town Square, including new children’s play space, landscaping (hard and soft) and lighting. Towers ranging between nine and 29-storeys.</td>
<td>Permission granted 11th July 2018</td>
</tr>
<tr>
<td>2010/1047 Walthamstow Central (Phase 1)</td>
<td>A mixed use development, comprising 69 residential units (Class C3), 99 room hotel (Class C1), 472 sq.m. shops/office/restaurant (Classes A1, A2, A3), 39sq. m. taxi office, 42 sq.m. community / commercial space (Classes A1, A2, A3, D1), pedestrian access to Edison Close and associated parking, amenity space, access, landscaping and boundary treatments</td>
<td>Permission granted 25th March 2011</td>
</tr>
<tr>
<td>142873 - Walthamstow Central (Phase 2) - Gateway Apartments, 11, Station Approach Hoe Street, Walthamstow, London, E17 9SL</td>
<td>A mixed use redevelopment. Demolition of existing retail units and construction of part two storey, part single storey building comprising three retail units (Use Class A1 to A5) to land north of railway line. Construction of 11 to 12 storey building to form 79 Self-Contained flats (24 x 1 bed, 55 x 2 bed) to land adjacent to Walthamstow central station</td>
<td>Permission granted 15th June 2016</td>
</tr>
</tbody>
</table>

5 PUBLIC CONSULTATION

5.1 In total 1,475 consultation letters were sent out to local residents surrounding the site on the 4th January 2019. The application was also advertised via three site notices on 4th January 2019 and press advert on 7th January 2019.

5.2 The applicant carried out a programme of pre-application public/stakeholder engagement across three consultation events
carried out in July and October 2018. This exhibition presented the proposals and invited feedback, in both verbal and written form from attendees from surrounding homes and businesses. A news release was put up on Waltham Forest Council’s website, and the events were promoted through the Council’s social media channels. Ward Councillors were invited.

5.3 The following internal consultees were consulted:

<table>
<thead>
<tr>
<th>Internal Consultation</th>
<th>Comments:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Design</td>
<td>No objections raised subject to condition requiring details and samples of materials.</td>
</tr>
<tr>
<td>Conservation</td>
<td>Substantial harm will be caused to view from Church Lane within Walthamstow Village Conservation Area. However in terms of affecting the special interest of the Conservation Area as a whole, this harm would be reduced and would amount to less than substantial harm overall.</td>
</tr>
<tr>
<td>Regeneration</td>
<td>No objection raised.</td>
</tr>
<tr>
<td>Highways</td>
<td>No objection raised subject to highway improvement works being secured, conditions requiring a detailed Construction Logistics Plan, Highways Condition Survey, Car Parking Management Plan, detailed Delivery and Servicing Plan, Technical approval of highway retaining structure and Risk assessment required to justify a low containment guardrail would be secured. The following financial contributions are requested:</td>
</tr>
<tr>
<td></td>
<td>- £100,000 is requested towards mitigation measures for servicing and delivery using residential roads on First Avenue</td>
</tr>
<tr>
<td></td>
<td>- £50,000 is requested towards the extension of the CPZ days and hours of operation to ensure there is no parking overspill resulting from this development.</td>
</tr>
<tr>
<td></td>
<td>- £30,000 is requested towards one year of additional parking enforcement to ensure that nursery pick up and drop off does not become establish using residents bays in First Avenue.</td>
</tr>
<tr>
<td>Transport Policy</td>
<td>No objection raised subject to conditions securing a Car Park Management Plan including 2 parking bays being provided with electric charging points, Cycle Parking and a detailed Travel Plan. A financial contribution of £4,000 is requested for monitoring of the Travel Plan.</td>
</tr>
<tr>
<td>Sustainability</td>
<td>No objections raised subject to conditions requiring</td>
</tr>
<tr>
<td><strong>and Energy</strong></td>
<td>Council CO2 reduction target, BREEAM “very good” sustainable design standards, water use reduction measures and a financial contribution of £87,966 for Carbon Off-Set Fund.</td>
</tr>
<tr>
<td><strong>Nature Conservation, Landscaping and Trees</strong></td>
<td>No objections raised subject to conditions requiring retention of mature Oak, Arboricultural Method Statement and details of hard and soft landscaping works.</td>
</tr>
<tr>
<td><strong>Waste and Recycling</strong></td>
<td>No objections raised subject to condition requiring a Waste Management Strategy.</td>
</tr>
<tr>
<td><strong>Business Investment and Employment Officer</strong></td>
<td>No objections raised subject to securing a financial contribution of £245,146 for loss of commercial floorpsace and securing Local Labour Agreement – 5 construction training placements, Employment and Training Project Plan (Construction Period) to be provided and 15 Apprenticeships.</td>
</tr>
<tr>
<td><strong>Environmental Protection</strong></td>
<td>Noise: No objections raised subject to conditions requiring a Construction/Demolition Method Statement, noise mitigation measures, restriction to noise levels from extract system, anti-vibration measures for extract system, noise controlled from new plant, sound insulation between residential and commercial, delivery hours. Air Quality: Air Quality and Air Quality Neutral Assessment, Non-Road Mobile Machinery (NRMM) Low Emission Zone compliance, Air Quality and Dust Management Plan (AQDMP). Moreover, a financial contribution of £18,600 towards the Air Quality Action plan is required.</td>
</tr>
<tr>
<td><strong>Contaminated Land</strong></td>
<td>No objections raised subject to separate conditions for the nursery and commercial/residential part of the scheme requiring remediation strategy, reporting unforeseen contamination and verification report.</td>
</tr>
<tr>
<td><strong>Occupational Health Officer</strong></td>
<td>No objections raised.</td>
</tr>
<tr>
<td><strong>Housing</strong></td>
<td>No objections raised.</td>
</tr>
</tbody>
</table>

**External Consultation:**

| **Thames Water** | No objections raised. |
| **Transport for London - TfL** | No objections raised subject to subject to an appropriate Construction Logistics Plan (CLP) and Delivery and Servicing Plan |
Greater London Authority - GLA
No objections raised. Further information required regarding transport, urban design and energy.

Metropolitan Police
No objections raised subject to condition requiring the development to achieve relevant Secure by Design standards.

British Transport Police
No objections raised. It is requested that the land concerned is fenced from the operational railway by the standard of fencing that Network Rail deem appropriate in this location.

This fencing is requested to be in place throughout both the demolition as well as during the construction process.

London Fire Brigade
No objections raised.

Historic England
Consider the development results in less than substantial harm to the significance of Walthamstow Conservation area. As such the harm caused must be weighed against the public benefits.

Environment Agency
No comments to make.

London Overground
No comments to make.

London Underground Infrastructure Protection
No comments to make.

Network Rail
No comments received.

5.4 In total the application has received 28 letters of objection which are outlined in the below table:

<table>
<thead>
<tr>
<th>Objection received</th>
<th>Response (to be completed)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Land Use</strong></td>
<td></td>
</tr>
<tr>
<td>Site not listed as an opportunity site in the Walthamstow Area Action Plan</td>
<td>Redevelopment was not considered appropriate at the time of AAP preparation.</td>
</tr>
<tr>
<td>Too Dense</td>
<td>The density is comfortably within the</td>
</tr>
<tr>
<td>Suggested range of the London Plan (2016) Density Matrix for a Central area with such high transport accessibility indicating that the scheme optimises the development potential of the land and growth ambition for the town centre. <strong>Please refer to section 8 part A of the report.</strong></td>
<td></td>
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<tr>
<td>---</td>
<td></td>
</tr>
<tr>
<td>Increased pressure on public services and community infrastructure</td>
<td></td>
</tr>
<tr>
<td>It is calculated that the scheme would be liable to pay Mayoral CIL 2 of circa £62,000 and Waltham Forest CIL of circa £72,000 to finance local infrastructure transport and other infrastructure projects which could schemes for public services. The scheme would provide also provide nursery for 53 school children which would help to meet the need for pre-school education within the development and surrounding area.</td>
<td></td>
</tr>
<tr>
<td>Ideal location for an office building – need jobs in the borough</td>
<td></td>
</tr>
<tr>
<td>In March 2018 staff working at Juniper House were relocated to the Town Hall campus and the building left vacant. As such the proposed demolition would not result in the loss of any jobs. In addition to this the existing office floorspace at Juniper House is now dated and is considered to fail to meet the requirements of modern business. Therefore, taking a pragmatic approach and in accordance with the above mentioned policy a mixed-use scheme that provides a significant uplift in housing, 950sqm of high quality flexible commercial space and 450sqm of additional social infrastructure in the form of a nursery is considered to be a more productive use for this site and is supported in principle. <strong>Please refer to Section 8 part A of the report.</strong></td>
<td></td>
</tr>
<tr>
<td>Nursery in poor location adjacent to railway and servicing area of development.</td>
<td></td>
</tr>
<tr>
<td>The proposed nursery is considered to be in a sensible location furthest away from the noise and air pollution of Hoe Street. <strong>Please refer to Section 8 part A of the report.</strong></td>
<td></td>
</tr>
<tr>
<td>Nursery would be close to high quality early education provision – has local need</td>
<td></td>
</tr>
<tr>
<td>The Council carries out and maintains a Childcare Sufficiency Assessment (CSA). This is an audit of the supply and</td>
<td></td>
</tr>
<tr>
<td>Question</td>
<td>Answer</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>assessment been carried out?</td>
<td>demand in the local early years and out of school childcare provision in the Borough. The current CSA identifies a demand for early years provision for 0-5 years age range. The CSA is available on the Education HUB, which is the Council’s dedicated website for all things early years childcare - <a href="https://thehub.walthamforest.gov.uk/eyfs">https://thehub.walthamforest.gov.uk/eyfs</a>. In addition, the proposed nursery provision is being developed in consultation with the Council’s Early Years Service (EYS).</td>
</tr>
<tr>
<td>Is the applicant planning to consult with existing providers of childcare and early education to identify how new nursery can be established without any detrimental impact on these services?</td>
<td>Yes, the applicant is already engaged with the Council’s EYS, and will consult them specifically on this during the development of the Service Specification for the tender of the service. The EYS will lead the Service Specification at the Expression of Interest Tender (EOI) Stage to ensure that the new provision complements existing provision and plugs the gaps and demands in local early years provision identified.</td>
</tr>
<tr>
<td>How can existing pre-school providers find out more detail about the planned nursery?</td>
<td>All information relating to the new nursery will be available on the Education HUB <a href="https://thehub.walthamforest.gov.uk/eyfs">https://thehub.walthamforest.gov.uk/eyfs</a>.</td>
</tr>
<tr>
<td>As ownership of the land is to be retained by the council what are the plans for ownership and/or management of the pre-school? How can those interested be kept informed of any competitive tendering process?</td>
<td>The Council will run a competitive tender process for an Operator to manage and operate the nursery to the Council’s Service Specification. This is how the Council runs all its nursery provision. We are proactively and reactively keeping a list of all expressions of interest received at this stage, and are providing information to potential providers that wish to be kept informed of progress with the build of the nursery. All those interested in being considered at the EOI Tender stage will be invited to submit their interest via the Education HUB in a pre-determined and format consistent and compliant with the Council’s procurement Standing Orders.</td>
</tr>
<tr>
<td>Would be a gated Secure vehicular and pedestrian access</td>
<td></td>
</tr>
</tbody>
</table>
community cut off from its surroundings  
gates have been introduced at the North-west and South-east entrances to the site, as indicated in the diagrams shown here. These gates can be held open during the day and closed at night, subject to the agreement of the site management strategy being developed with the Council.

Would reduce value of surrounding properties 
This is not a material planning consideration.

Design

Too big – too tall – too dominant/overwhelming  
The application site is within Walthamstow Major Centre where the principle of tall buildings has been well-established. In addition, to this the application site is a ‘gateway’ site opposite Walthamstow Central Station and on a key junction (the gyratory) along a principle route (Hoe Street), meeting the taller building criteria noted above. The public transport accessibility of the site is almost the highest level at PTAL 6a (6b being the highest level). In terms of the immediate townscape there is an emerging cluster of tall buildings around the gyratory, which the site abuts.

It is considered that the design responds to the polarised scales that characterise the existing and emerging surrounding development. This has been achieved by designing the scheme with two elements. A tower element and a tail element including the standalone nursery. The tower element would be located at the western end of the site, addressing the junction and the larger scale of development seen here. The tail element, connected to the tower, would be predominantly four storeys.

For these reasons the scale of the development is considered acceptable. Please refer to Section 8 part B of the report.

Not in keeping – poor design – hostile appearance  
Juniper House has been conceived as a building of two parts with distinct tower and tail elements. While it still needs to
hold together visually as a cohesive single building, the two sides of the building face onto different contexts. The applicant has developed two distinct architectural languages to respond to these differing aspects that tie together with shared accent features.

The predominantly four-storey and part ten-storey tail would respond to the more domestic scale of the residential neighbourhoods to the north, south, and east of the site with irregular openings and a brown and buff brick. The tower element’s massing would be broken with a vertical hinge in the middle of the western and southern elevations, a varied and distinctive roofline and the use of different style of openings.

For these reasons the design is considered appropriate to the surroundings. Please refer to Section 8 part B of the report.

<table>
<thead>
<tr>
<th>Harm to the Walthamstow Village Conservation Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Great weight has been placed on the harm the proposal would cause to certain views within the Walthamstow Village Conservation Area. Taking the above public benefits, which are not insignificant, into account, it is considered that these would on balance outweigh the less than substantial harm identified to the designated heritage asset. Please refer to Section 8 part C of the report.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Will set precedent for towers in this area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Each application is considered on its own merits.</td>
</tr>
</tbody>
</table>

**Housing**

<table>
<thead>
<tr>
<th>Not enough family housing</th>
</tr>
</thead>
<tbody>
<tr>
<td>It is recognised that this high density, town centre scheme is more suited to one and two person households, particularly singles, couples and sharers, students and older people. The proposal still provides an appropriate percentage of family units including three and four bedroom units and these are located at the lower levels of the development with convenient access to the communal amenity areas. Please refer to Section</td>
</tr>
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<tr>
<td>-----------------------------------------------------------------</td>
</tr>
<tr>
<td>Tower blocks provide poor quality of life – not a good place to bring up children next to busy junction</td>
</tr>
<tr>
<td>Not enough affordable housing – not genuinely affordable – all housing should be social housing</td>
</tr>
<tr>
<td>Council cannot guarantee it will always own the land. Tenants have the right to collectively buy the freehold</td>
</tr>
</tbody>
</table>

**Amenity**

<p>| Loss of privacy – overlooking | It is considered that the separation distances between the proposed building and existing properties, as set out above, would preserve privacy levels to existing properties and achieve adequate privacy for the occupants/guests of the new buildings. Please refer to section 8 part D of the report. |
| Loss of daylight/sunlight – overshadowing | The proposed development does not fully comply with the BRE numerical guidelines and there would be some pronounced daylight/sunlight impacts in places. There is a certain degree of impact that is to be expected when optimising a central site such as this one in a major town centre. This is an urban site in an area where there is an emerging larger scale of development coming forward, which are bound to cause some obstruction to daylight and sunlight. In order to deliver the growth targets for Walthamstow it is accepted that there may need to be some flexibility with |</p>
<table>
<thead>
<tr>
<th>Aspect</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>regards amenity impacts to surrounding</td>
<td>Please refer to Section 8 part D of the report.</td>
</tr>
<tr>
<td>development</td>
<td></td>
</tr>
<tr>
<td>Loss of outlook</td>
<td>Although there would be some impacts predominantly to First Avenue, the proposal would be considered to have an acceptable impact on neighbouring outlook. Please refer to Section 8 part D of the report.</td>
</tr>
<tr>
<td>Environmental Protection</td>
<td></td>
</tr>
<tr>
<td>Increase in air pollution</td>
<td>Conditions related to air quality controls from CHP/biomass boilers in addition to controls on emissions from boilers, Non-Road Mobile Machinery (NRMM) Low Emission Zone compliance, Air Quality and Dust Management Plan (AQDMP) would be imposed on the application in order to ensure an acceptable air quality impact from the development.</td>
</tr>
<tr>
<td>A financial contribution of £23,360 would</td>
<td>be secured to be used predominantly for the maintenance of the AQ monitoring network, implementation of AQAP measures, predictive AQ modelling, education, research, installation of electric charging points and bike hire scheme or car club feasibility. Please refer to section 8 part F of the report.</td>
</tr>
<tr>
<td>Increased noise and vibration –</td>
<td>The submitted Acoustic Design Statement has been assessed by the Council’s Noise Team who did not object subject to conditions requiring: construction/demolition method statement; details of noise mitigation measures; restriction to noise levels from extract system; anti-vibration measures for extract system, noise levels controlled from plant and sound insulation between residential and commercial. With these conditions in place the proposed development would be considered not have an unduly adverse impact on new and existing receptors. Please refer to Section 8 part F of the report.</td>
</tr>
</tbody>
</table>
| Increased wind on pavements                  | It is expected that the wind environment around the site is likely to be broadly
<table>
<thead>
<tr>
<th><strong>Refuse area will smell</strong></th>
<th>The Council’s Waste and Recycling team have assessed the proposals and consider them satisfactory. Please refer to Section 8 part E of the report.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Transport and Highways</strong></td>
<td></td>
</tr>
<tr>
<td>Increased traffic and associated noise (including beeping) and air pollution esp. on First Avenue - Increased deliveries and servicing not suitable for surrounding streets.</td>
<td>The existing streets surrounding the site and public transport infrastructure would be considered to absorb the additional trips created by the scheme successfully subject to Highways works. Please refer to Section 8 part E of the report.</td>
</tr>
<tr>
<td>Increased parking stress on surrounding roads</td>
<td>The development would be car free for general parking with a small amount of blue badge spaces on site. A £50,000 financial contribution would be secured towards the extension of the surrounding CPZ days and hours of operation to ensure there is no parking overspill resulting from the development. Please refer to Section 8 part E of the report.</td>
</tr>
<tr>
<td>Increased overcrowding at Walthamstow Central</td>
<td>The projected increase in trips to and from the site would be considered to be within acceptable bounds for public transport infrastructure to absorb. Please refer to Section 8 part E of the report.</td>
</tr>
<tr>
<td>There should be a vehicular entrance on Hoe Street to reduce disruption to residential streets</td>
<td>No vehicles can stop, load or wait on Hoe Street as it is part of the Strategic Road Network (SRN). This would cause unacceptable congestion on this important route. The only vehicular access on Hoe Street would be for emergency vehicle access. Please refer to Section 8 part E of the report.</td>
</tr>
<tr>
<td><strong>Waste &amp; Refuse</strong></td>
<td></td>
</tr>
<tr>
<td>Leaving refuse area for 7 days would attract vermin – close to communal amenity area and playgrounds</td>
<td>The Council’s Waste and Recycling team have assessed the proposals and consider them satisfactory. Please refer to Section 8 part E of the report.</td>
</tr>
<tr>
<td>Build-up of nappies in refuse area directly behind</td>
<td>The Council’s Waste and Recycling team have assessed the proposals and consider them satisfactory. Please refer</td>
</tr>
<tr>
<td><strong>First Avenue</strong></td>
<td>to Section 8 part E of the report.</td>
</tr>
<tr>
<td>-----------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td><strong>Sustainability</strong></td>
<td></td>
</tr>
<tr>
<td>No mention of how the building will be environmentally sustainable</td>
<td>Please refer to Section 8 part G of the report.</td>
</tr>
<tr>
<td><strong>Trees</strong></td>
<td></td>
</tr>
<tr>
<td>Young trees planted within the scheme will not survive</td>
<td>A condition securing a landscaping management plan will ensure the survival of new trees within the scheme. Please refer to Section 8 part H in the report.</td>
</tr>
<tr>
<td>Replacement trees will not remove carbon as well as lost mature trees</td>
<td>The removal of trees is to enable to development to be built. A mature oak will be retained which will help to maintain carbon reduction at the site. Please refer to Section 8 part H of the report.</td>
</tr>
<tr>
<td><strong>Construction</strong></td>
<td></td>
</tr>
<tr>
<td>Disruption and increased congestion from during construction – impact on health and quality of life Cumulative impact from surrounding sites coming forward</td>
<td>An outline Construction Management Plan (CLP) has been submitted which addresses how the proposal would be constructed in such a way as to minimise disruption from construction. This states that a further review of other construction sites in the local area would take place once a fixed construction programme is identified. This would identify overlapping construction periods and assist in the assessment of freight consolidation opportunities and cumulative impacts of construction operations in the area. A condition would be imposed on the application for a detailed CLP to be submitted and approved prior to commencement. Please see Section 8 part E in the report.</td>
</tr>
<tr>
<td><strong>Fire Safety</strong></td>
<td></td>
</tr>
<tr>
<td>Adequate fire precautions need to be demonstrated</td>
<td>A fire safety statement would be secured by a planning condition. Please see Section 8 part I in the report.</td>
</tr>
<tr>
<td><strong>Process</strong></td>
<td></td>
</tr>
<tr>
<td>Labelling on website makes application difficult to</td>
<td>The consultation period is considered to have allowed sufficient time in order to allow neighbouring residents the time to</td>
</tr>
</tbody>
</table>
navigate properly go through the plans and documents.

| Only tenants invited to local consultations – landlords not directly invited | This refers to the applicant’s own consultation. The local planning authority is not able to affect how this is conducted. |
| The current plans reflect little compromise to concerns raised at consultation meetings | Again this relates to the applicant’s decision rather than the local planning authority. |

5.5 There were 2 letters of support summarised as follows:

<table>
<thead>
<tr>
<th>Support received</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highly support the proposed usage, design, would make a materially positive difference to this part of the town centre</td>
<td>It is considered that there would be numerous regenerative benefits of the scheme.</td>
</tr>
<tr>
<td>Support but materials must be high quality in order to make a success of this prominent building and set the right precedent for the area</td>
<td>High quality materials would be secured by condition. Please refer to Section 8 part B of the report.</td>
</tr>
<tr>
<td>Support but would encourage the use of as many electrical charging points as possible</td>
<td>Electrical charging points would be incorporated into the scheme. Please refer to Please refer to Section 8 part E of the report.</td>
</tr>
</tbody>
</table>

6 DEVELOPMENT PLAN


6.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration in planning decisions. It contains a presumption in favour of sustainable development, described as at the heart of the framework.

6.2 For decision-taking the NPPF states that the presumption means "approving development proposals that accord with an up-to-date development plan without delay" and where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless “…any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".
6.3 The NPPF gives a centrality to design policies. Local planning authorities (LPAs) are to make sure that the quality of approved developments does not materially diminish 'between permission and completion, as a result of changes being made to the permitted schemes.

6.4 The specific Policy areas of the NPPF considered to be most relevant to the assessment of this application are as follows:

- Achieving sustainable development
- Building a strong competitive economy
- Ensuring the vitality of town centres
- Promoting healthy and safe communities
- Promoting sustainable transport
- Making effective use of land
- Achieving well designed places
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment

The London Plan (2016)

6.5 The London Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. The London Plan was formally amended in 2016 incorporating alterations, since initial adoption in 2011. The policies relevant to this application are considered to include but not limited to:

- 3.1 Ensuring Equal Life Chances for All
- 3.2 Improving Health and Addressing Health Inequalities
- 4.1 Developing London’s Economy
- 4.2 Offices
- 4.3 Mixed Use Development and Offices
- 4.5 London’s Visitor Infrastructure
- 4.7 Retail and Town Centre Development
- 4.8 Supporting a Successful and Diverse Retail Sector and Related Facilities and Services
- 4.12 Improving Opportunities for All
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide Emissions
• 5.3 Sustainable Design and Construction
• 5.7 Renewable Energy
• 5.9 Overheating and Cooling
• 5.10 Urban Greening
• 5.11 Green Roofs and Development Site Environs
• 5.12 Flood Risk Management
• 5.13 Sustainable Drainage
• 5.14 Water Quality and Wastewater Infrastructure
• 5.15 Water Use and Supplies
• 5.17 Waste Capacity
• 5.18 Construction, Excavation and Demolition Waste
• 5.21 Contaminated Land
• 6.3 Assessing Effects of Development on Transport Capacity
• 6.7 Better streets and surface transport
• 6.9 Cycling
• 6.10 Walking
• 6.13 Parking
• 7.2 An Inclusive Environment
• 7.3 Designing Out Crime
• 7.4 Local Character
• 7.5 Public Realm
• 7.6 Architecture
• 7.7 Location and Design of Tall and Large Buildings
• 7.8 Heritage Assets and Archaeology
• 7.13 Safety, security and Resilience to Emergency
• 7.14 Improving Air Quality
• 7.15 Reducing and Managing Noise
• 7.19 Biodiversity and Access to Nature
• 7.21 Trees and Woodlands
• 8.2 Planning Obligations
• 8.3 Community Infrastructure Levy

The Draft London Plan (2018)
6.6 The Draft New London Plan showing Minor Suggested Changes 2018 was published in August 2018. However, until this document is formally adopted, it does not carry as much weight as the adopted London Plan (2016) in terms of assessing the current application. It should be noted that its general principles further reinforce the provisions of the London Plan (2016), and the changes proposed where there is any divergence from the adopted London Plan are considered to be only minor and unlikely to be pertinent to the assessment of the proposal under consideration.

Waltham Forest Local Plan WFLP Core Strategy (2012)

6.7 The Waltham Forest Local Plan WFLP Core Strategy (2012) was adopted on 1st March 2012. The WFLP Core Strategy contains 16 policies designed to deliver the Council’s vision for the physical, economic, environmental and social development of the Borough. These policies will be used to direct and manage development and regeneration activity up to 2026.

6.8 The policies considered relevant to this application are as follows:

- CS1: Location and Management of Growth
- CS2: Improving Housing Quality and Choice
- CS3: Providing Infrastructure
- CS4: Minimising and Adapting to Climate Change
- CS5: Enhancing Green Infrastructure and Biodiversity
- CS6: Promoting Sustainable Waste Management and Recycling
- CS7: Developing Sustainable Transport
- CS8: Making Efficient Use of Employment Land
- CS10: Creating More Jobs and Reducing Worklessness
- CS11: Protecting and Enhancing Heritage Assets
- CS12: Promoting Health and Well Being
- CS13: Attractive and Vibrant Town Centres
- CS14: Well Designed Buildings, Places and Spaces
- CS16: Making Waltham Forest Safer

Waltham Forest Local Plan Development Management Policies (2013)

6.9 The Local Plan Development Management Policies Document was adopted in November 2013. This sets out the borough-wide policies that implement the WFLP Core Strategy and delivering the long term spatial vision and strategic place shaping objectives. There is an emphasis on collaboration and a positive proactive approach to reaching a balance agreement that solves problems rather than a compromise that fails to meet objectives.
6.10 The policies considered relevant to this application are as follows:

- DM1: Sustainable Development and Mixed Use Development
- DM2: Meeting Housing Targets
- DM3: Affordable Housing Provision
- DM4: Residential Extensions and Alterations
- DM5: Housing Mix
- DM7: Dwelling Conversions, Housing in Multiple Occupation and Buildings in Multiple Residential Occupation
- DM10: Resource Efficiency and High Environmental Standards
- DM11: Decentralised and Renewable Energy
- DM13: Co-ordinating Land Use and Transport
- DM14: Sustainable Transport Network
- DM15: Managing Private Motorised Transport
- DM16: Parking
- DM19: Borough Employment Areas
- DM21: Improving Job Access and Training
- DM22: Tourist Development and Visitor Attractions
- DM23: Health and Well Being
- DM24: Environmental Protection
- DM25: Managing Town Centre Uses
- DM26: New Retail, Office and Leisure Developments
- DM27: Night Time Economy Uses
- DM28: Heritage Assets
- DM29: Design Principles, Standards and Local Distinctiveness
- DM30: Inclusive Design and the Built Environment
- DM31: Tall Buildings
- DM32: Managing Impact of Development on Occupiers and Neighbours
- DM33: Improving Community Safety
- DM34: Water
- DM35: Biodiversity and Geodiversity
- DM36: Working with Partners and Infrastructure
- Appendix 4 – Parking Standards
- Schedule 2 – Borough Employment Areas
7 MATERIAL CONSIDERATIONS

Waltham Forest Local Plan Walthamstow Town Centre Area Action Plan (2015):

7.1 Walthamstow Area Action Plan forms part of the local plan and sets out a framework for how growth should be co-ordinated, to transform the area and secure a sustainable pattern of development and maximum community gains.

7.2 The policies considered relevant to this application are as follows:
- WTC3: Retail
- WTC4: Leisure, Entertainment, Culture and Tourism
- WTC5: Employment
- WTC6: Transport Improvements
- WTC7: Sustainable Transport
- WTC8: Car and Cycle Parking
- WTC9: Design and Place Making
- WTC10: High Quality Environment
- WTC11: Shop Fronts
- WTC13: Social Infrastructure

Waltham Forest Local Plan Urban Design SPD (2010)

7.3 This document has the aim of raising the quality of design within the Borough. The core principles underlying the advice in the SPD are Inclusive Design and the social model of disability where people are considered disabled by barriers in society, not by their impairment or difference.

Waltham Forest Local Plan Planning Obligations SPD (2017)

7.4 This document seeks to provide transparent, clear and consistent information for the negotiation of planning contributions.


7.5 This document seeks to support all those involved in dealing with proposals for tall buildings in implementing historic environment legislation, the relevant policies in the National Planning Policy
Framework (NPPF), and the related guidance given in the Planning Practice Guidance (PPG).


7.6 This document sets out guidance on managing change within the settings of heritage assets, including archaeological remains and historic buildings, sites, areas, and landscapes.

Natural England – Epping Forest Special Area of Conservation

7.7 Natural England issued interim advice on in relation to the Epping Forest Special Area of Conservation (SAC) Mitigation Strategy and the Habitats Regulations. The advice applies to all residential development within the extended Zone of Influence, which includes the Local Planning Authority’s area. The development could therefore be liable to mitigation measures on any impact on the Epping Forest SAC.

Local Finance Considerations

7.8 Local finance considerations are a material consideration in the determination of all planning applications. Local finance considerations can include either a grant that has been or would be given to the Council from central government or money that the Council has received or will or could receive in terms of the Community Infrastructure Levy (CIL).

i) There are no grants which have been or will or could be received from central government in relation to this development.

ii) The council has not received but does expect to receive income from LBWF CIL in relation to this development.

iii) the council has not received but does expect to receive income from mayoral cil in relation to this development.

8 ASSESSMENT

8.1 The main issues which shall be addressed within this report relate to the following:
A) Principle of development;  
B) Design of the development  
C) Impact on heritage assets  
D) Amenity  
E) Transport and highways  
F) Environmental impact of the development  
G) Sustainable design and energy efficiency  
H) Trees and landscaping  
I) Safety and security measures  
J) Planning contributions  
K) Additional considerations  
L) Conclusion

A. PRINCIPLE OF DEVELOPMENT


Intensification and Mixed-Use Development on the Site

8.3 The principle of an intensification of previously-developed land, support for mixed use development and directing growth to designated town centres is set out in Policy CS1 of the WFLP Core Strategy (2012) which states:

8.4 “The Council seeks to make the best use of previously developed land in the Borough. By intensification, the Council will seek to ensure that the development of a property, site or area is undertaken at a higher density than currently exists…higher density and mixed use, means that people can live near to their work place and also have access to supporting facilities…an appropriate mix of uses can promote successful places that have a range of activities and are used throughout the day, increasing security and safety.”

8.5 The principle of a mixed-use development is also supported in Walthamstow Major Centre by Policy DM1 of the WFLP DM Policies (2013):

“The Council will seek where appropriate a mix of uses in development in the key growth areas [Walthamstow Major Centre being one], and
other appropriate areas in the Borough, including a contribution towards the supply of housing and employment.”

8.6 The proposed mix of residential, commercial and nursery school uses would not conflict with each other and are appropriate town centre uses. The proposal would intensify the use of the land in a key growth area that has excellent public transport links.

8.7 The mixed-use nature of the scheme would allow the site to be used efficiently to deliver increased housing in the town centre in addition to activating the Hoe Street frontage with the commercial space at the lower floors here. It would also ensure that the site is used throughout the day, preventing dead zones within the town centre and improving security.

8.8 The scheme would therefore comply with the requirements of WFLP Walthamstow Town Centre AAP (2014), Policy CS1 of the WFLP Core Strategy (2012) and Policy DM1 of the WFLP DM Policies (2013) which seek to encourage intensification of previously developed land and mixed-use development within Walthamstow Major Centre.

Loss of Employment Floorspace (Use Class B1)

8.9 The proposal would result in the loss of 2,261sqm of office (Use Class B1) floorspace. The site is non-designated employment land. Policy CS8 of the WFLP Core Strategy (2012) states that there should be a:

8.10 “Pragmatic approach to non-designated employment land and premises that can clearly be demonstrated to be surplus to requirements and no longer fit for purpose, so that it can be released for more productive uses. Priority will be given to mixed use developments, especially those that incorporate social infrastructure”.

8.11 This is supported by Policy DM20 of the WFLP DM Policies (2013) which states that schemes which incorporate social infrastructure including compatible D1 (community) uses and new B1 (business) space as part of a mixed-use development will be supported in principle.

8.12 The release of the site has come about owing to the rationalisation of the Council’s corporate office estate. In March 2018 staff working at Juniper House were relocated to the Town Hall campus. As such the proposed demolition would not result in the loss of any jobs. In addition to this the existing office floorpsace at Juniper House is now dated and is considered to fail to meet the requirements of modern business. Therefore, taking a pragmatic approach and in accordance with the above mentioned policy a mixed-use scheme that provides a significant uplift in housing, 950sqm of high quality flexible commercial space and 450sqm of additional social infrastructure in the form of a nursery is considered to be a more productive use for this site and is supported in principle.
8.13 In accordance with the WFLP Planning Obligations SPD (2017) mitigation would be required for the loss of employment floorspace in the form of the following:
- Financial contribution of £245,140,
- Five construction training placements
- Employment and training project plan for the construction period
- 15 apprenticeships

Proposed Commercial Offer – Use Class B1(a), A1, A3, A4 and D1

8.14 On the first two floors of the tower element (Block A), fronting Hoe Street, commercial floorspace (950sqm) that would have a flexible use class is proposed. This would allow all of the unit operated as, or for it to be divided across; office (B1a), retail (A1), restaurant (A3), drinking establishment (A4) or community uses (D1).

8.15 Policy DM26 of the WFLP DM Policies (2013) encourages the development of new town centre uses that support and enhance the viability, vitality and function of the borough’s designated centres.

8.16 The Hoe Street elevation is outside the first or secondary frontage classification within the town centre. Policy DM25 of the WFLP DM Policies (2013) supports retail and other town centre uses in these areas. The proposed range of uses for the commercial unit are considered appropriate town centre uses. It is considered that they would enhance the function and vitality of this part of Hoe Street, complying with the above mentioned policies.

Proposed Nursery School (Use Class D1)

8.17 Objective WTC10 of the WFLP Walthamstow Town Centre AAP (2014) states that planned growth should be supported with “the appropriate level of social infrastructure to meet the needs of the local community”.

8.18 A 2 storey nursery (450sqm) (Use Class D1) is proposed. Policy DM17 of the WFLP DM Policies (2013) seeks to help to meet increased demand for social infrastructure. Assessment of the impact of new community, leisure and educational facilities are considered against the following criteria, which have been taken in turn:

a) the new facilities are located within the community that they are intended to serve;

b) the likely number of future occupants;

c) the needs of community service providers operating in the area (public and community) and their accommodation requirements;

d) the new facilities are safe and located in an area of good public transport accessibility or in town centres; and
e) there should be no adverse impact on residential amenity, according to Policy DM32; or highway safety according to Policy DM15C;

8.19 In response to the above criteria: Yes, new and existing residents of the surrounding town centre would be intended provide the catchment for the nursery and the nursery would be designed for 53 children. The building would be provided at shell and core however the overall design of the building would meet the appropriate internal and external space requirements and there would be flexibility as to how a future operator chooses to fit out the space. The site is located in Walthamstow town centre within walking distance of Walthamstow Central station. The nursery is not considered to have an unduly adverse amenity or highways impact on surrounding streets. The nursery is proposed to be operated on a car-free, drop-off basis and parents would be made aware of such management arrangements when enrolling their children.

8.20 It is considered that the proposed nursery meets the above criteria and is supported in principle in accordance with Policy DM17 of the WFLP DM Policies (2013).

Proposed Residential Use (Use Class C3) and Housing Mix

8.21 Paragraph 9 of the NPPF (2019) states that sustainable development involves seeking positive improvements in the quality of the built environment including widening the choice of high quality homes. The NPPF (2019) recognises that to create sustainable, inclusive and diverse communities, a mix of housing based on demographic trends, market trends and the needs of different groups should be provided.

8.22 At the regional level, Policy 3.8 of the London Plan (2016) states that boroughs should seek to ensure that new developments offer a range of housing choices in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups.

8.23 Policy 3.9 of the London Plan (2016) further seeks a more balanced mix of tenures in all parts of London. This is emphasised within the Mayor’s Housing SPG (2016) which provides further guidance to aid the delivery of a wide choice of quality homes and a mix of housing that meets local and strategic demand.

8.24 The application proposes the following mix of residential units:

- 37 x One-bed units (40.5%)
- 43 x Two-bed units (47.25%)
- 9 x Three-bed units (10%)
- 2 x Four-bed units (2.25%)

8.25 At the local level, Policy CS2 of the WFLP Core Strategy requires mixed and balanced communities and sets out the Council’s priority for larger homes (3 bedrooms or more) in new developments. Policy DM5
of the WFLP DM Policies reiterates WFLP Core Strategy Policy CS2 and sets out the Council’s preferred housing mix for mainstream market housing schemes which states that there should be a varied mix of units across the development, with the preferred percentage being as follows: 20% one bedroom units, 30% two bedroom units, 40% three bedroom units and 10% four bedroom units.

8.26 The particular mix of this scheme would provide a wide range of housing sizes which is supported however it is acknowledged this would contain a higher proportion of one and two bedroom properties and a lower level family (three bed+) accommodation than the policy mix. On this point the proposal has followed the guidance of the WFLP Walthamstow Town Centre AAP (2014) which states:

8.27 “As higher density housing development is appropriate, living within the town centre is likely to be a more intense experience. The nature of housing development coming forward within the centre is likely to be flatted. As such, not all social groups may wish to live in such an environment. In general, young couples or single people generally prefer to live in smaller flatted homes, while families prefer larger homes with more space. However, to ensure that Walthamstow develops as a mixed and balanced community, where practical, the Council will seek to ensure that all housing developments within the centre do provide larger family homes (3 bed plus) on site in accordance with DM5 - Housing Mix. Where family homes are included we will seek for it to be located on the ground and lower levels of development and have access to private amenity space such as a garden”.

8.28 It is recognised that this high density, town centre scheme is more suited to one and two person households, particularly singles, couples and sharers, students and older people. The proposal still provides an appropriate percentage of family units including four bed units and these are located at the lower levels of the development with convenient access to the communal amenity areas.

8.29 The GLA’s Housing SPG (2016) echoes this approach stating that Borough’s should consider applying local policies on unit size mix flexibly in town centre locations. It also points to the potential net benefits which can arise as a result of the provision of smaller units in relation to the existing stock of family sized homes, including the extent to which the provision of smaller accessible and adaptable units may encourage downsizing, freeing up larger homes for occupation by families.

8.30 The proposed mix has been developed following careful consideration of the applications town centre location, market trends and demands, and the desire to optimise the development potential of this brownfield site. Overall, the proposed mix provides a range of unit types and sizes across the development and is considered appropriate for the site. The variety of units proposed would assist in creating a mixed and balanced community whilst meeting identified local needs, in accordance with the objectives of the Policies 3.8 and 3.9 of the London Plan (2016), Policy

Wheelchair Units

8.31 The proposed development aims to deliver an environment where everyone can access and benefit from the full range of opportunities available, removing barriers to undue effort, separate or special treatment.

8.32 Policy 3.8 of the London Plan (2016) states that 10% of new housing must meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.

8.33 The application proposes a total of 9 wheelchair accessible units within the development which equates to 10% of the proposed 91 units, meeting the London Plan Policy requirement. These would be provided across all tenures (two affordable rented, three shared ownership, four private sale) and have been designed in accordance with Part M4 Category 3 standard 2016 to be fully wheelchair accessible. Depending on the proposed tenure, these will either be fully adapted from the outset or designed to be fully adaptable and fitted out upon purchase.

8.34 The potential to provide a three bed affordable wheelchair accessible unit was explored however the architects were not able to design a three-bed accessible unit compliant with ADM Category 3 standards within the constraints of the tail element of the scheme, where the affordable rented housing is proposed to be delivered. In the first instance a bathroom on the upper floor negated the possibility of providing a third bedroom or resulted in a significantly undersized living area. Consideration was also given to locating the living area to the lower ground floor where the main entrance would be, however there was insufficient available floor area to accommodate all the required living space provision, so the additional living space would need to be located at the upper floor and negating potential for a third bedroom.

8.35 All wheelchair accessible units would be entered via a shared communal corridor and would have access to two lifts.

8.36 The Council’s Senior Occupational Therapist assessed the proposals and found the layouts to be satisfactory and compliant.

8.37 In summary the proposed development would provide acceptable levels of wheelchair units within the development in accordance with Policy 3.8 of the London Plan (2016).

Affordable Housing

8.38 Policy 3.11 of the London Plan (2016) states that boroughs should set an overall target for the amount of affordable housing provision in their area based on an assessment of all housing needs and a realistic assessment of supply. In setting targets, boroughs are to take account of regional and local need assessment.
Policy 3.12 of the London Plan (2016) notes that boroughs should seek the “maximum reasonable amount of affordable housing” when negotiating on individual private residential and mixed-use schemes, having regard to their affordable housing targets, and the need to encourage rather than restrain residential development, and the individual circumstances of the site. The Policy notes that targets should be applied flexibly taking account of:

- Development viability;
- Availability of public subsidy; and
- Other scheme requirements.

Policy 3.12 also reaffirms that boroughs should seek the maximum reasonable amount having regard to issues including:

- The need to encourage rather than restrain development (Policy 3.3);
- The size and type of affordable housing needed in particular locations; and
- The specific circumstances of the site.

The London Plan policies are taken through into the WFLP Core Strategy (2012), with Policy CS2 seeking to secure a provision of 50% affordable housing on all new residential schemes coming forward within the Borough (subject to viability), with a target split of 40% shared ownership and 60% affordable rented.

Policy DM3 of the WFLP DM Policies (2013) states that in accordance with Policy CS2, the Council aims to provide 50% of new housing to be affordable by outlining a number of measures. These measures include LBWF firstly seeking an affordable housing provision on site and secondly on a nearby site. Where this cannot practically be achieved, the Council may accept an off-site payment in lieu.

The GLA’s Affordable Housing & Viability SPG (2017) states that, “the Mayor has an expectation that residential proposals on public land should deliver at least 50% affordable housing”.

The proposed development would deliver 41 affordable units (45% by unit, 50% by habitable room), with an affordable housing tenure split of 54% affordable rent and 44% shared-ownership units, comprising of 23 affordable rented units and 18 shared-ownership units. The affordable housing provision has been designed to provide a range of affordable tenures and dwelling types and sizes to meet local housing needs.

The affordable housing provision has been designed to ensure a financially viable scheme and the proposals are supported by a detailed Financial Viability Appraisal (FVA), prepared by GL Hearn.

The FVA was submitted in respect of this application and was reviewed by BPS Surveyors on behalf of the Council.

The viability assessment dated November 2018 assumed delivery of 35% affordable housing by unit (40% by habitable room), and total CIL
of £592,674. Following this, the applicant has officially secured GLA grant for the scheme, and this is reflected in their updated viability assessment – as set out in GL Hearn’s December 2018 Financial Viability Addendum. There is £2,294,000 of grant secured. This enables the scheme to deliver a total of 41 units of affordable housing, in comparison to the ‘without-grant’ offer of 32 units (19 social rent units and 13 shared ownership units). This updated offer equates to 50% affordable housing which is in line with the GLA target for developments on public land, Policy DM3 of the WFLP DM Policies (2013) and CS2 of the WFLP Core Strategy (2012).

8.48 The BPS Viability Review has analysed the costs and value assumptions adopted within the FVA and agrees with the conclusions that the scheme is in deficit with the current affordable housing offer of 50% by habitable room (45% by unit) even when the GLA grant funding is factored in, there is no further affordable housing over and above the 50% offer that can reasonably be delivered.

8.49 In conclusion, officers are satisfied with the level of affordable housing provision being provided in accordance with the objectives of Policy CS2 of the WFLP Core Strategy (2012) and Policy DM3 of the WFLP DM Policies (2013).

Density

8.50 The justification of Policy WTC2 of the Walthamstow Town Centre AAP (2014) in considering housing densities states that:

8.51 “Given the centres excellent transport links, Walthamstow is a location where higher housing densities are considered to be acceptable...As a general rule, higher density development should be focused around the Walthamstow Central transport hub.”

8.52 In assessing the density of development on site and the optimisation of housing potential, the GLA Sustainable Residential Quality Density Matrix cited within Policy 3.4 of the London Plan (2016) considers the appropriateness of residential density based on its location, accessibility to public transport, local building typology and proposed unit type and size.

8.53 In terms of ‘setting’, the site is within Walthamstow town centre, which is designated a Major town centre within the London Plan (2016) town centre hierarchy. There is some very dense existing and emerging development, a mix of different uses and some large building footprints in the surrounding area. As such the site is considered to fit the definition of a ‘Central’ area given in the London Plan (2016).

8.54 With a PTAL of 6a and 2.7hr/u the Density Matrix suggests a range of 650-1100hr/ha and 215-405u/ha for the site. A simple calculation of the proposed development density would be 732hr/ha and just over 267u/ha. However, in accordance with the GLA Housing SPG (2016) as the application scheme is a mixed use development, it is necessary to factor in the amount of non-residential floorspace within the scheme to provide a more accurate figure for residential density on site. Through applying the GLA’s Net Residential Density calculation, the
site area is reduced by the proportion of proposed non-residential floorspace, giving a site area for density purposes of 0.26ha. Applying this revised site area leads to a revised residential density (factoring in the commercial uses) of 889hr/ha and 325u/ha.

8.55 It can be seen that this density is comfortably within the suggested range of the Density Matrix for a Central area with such high transport accessibility indicating that the scheme optimises the development potential of the land and growth ambition for the town centre whilst respecting the local context and not resulting in an overdevelopment of the site. Notwithstanding this, how this density then manifests itself in terms of scale, bulk and height and its appropriateness when set within local context demands further analysis, which is considered in more depth within the Design section (see Section B) which follows below.

8.56 For the above reason the density of the site is considered acceptable in accordance with Policy 3.4 of the London Plan (2016), Policy CS15 of the WFLP Core Strategy (2015) and Policy WTC2 of the WFLP Walthamstow Town Centre AAP (2014).

Residential Amenity within the Proposed Development

8.57 Policy 3.5 of the London Plan (2016) states that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. The Policy adds that the design of new dwellings should take account of factors relating to ‘arrival’ at the building and the ‘home as a place of retreat’, have adequately sized rooms and convenient and efficient room layouts.

8.58 Policy DM7 of the WFLP DM Policies (2013) requires all new residential development to aim to ensure that minimum internal and external space standards.

8.59 All units would meet the required internal and external space standards complying with the above policies.

Units per Core

8.60 In seeking to comply with the Mayor of London Housing Design Guide (2010), the proposed residential accommodation seeks to limit the number of residential units per core. The largest number of units a core would be in Core A floors 1-9 where there would be 5 units per core. Cores B and C within the tail element, would have 4 units per core which is considered acceptable.

Dual Aspect Units

8.61 Most flats within the development (60 of 91) would be dual aspect and the application proposes no north facing single aspect units within the development.

8.62 Standard of Amenity within the Proposed Development
This is discussed in detail within Section D (Amenity). The proposed development would be considered to have adequate daylight/sunlighting, separation distances and outlook.

**Amenity and Child Play Space**

8.64 Policy DM7 of the WFLP DM Policies (2013) requires all new residential development to be of the highest quality internally and externally, by meeting minimum internal and external space standards, and by ensuring that all homes have access to an element of private space, including balconies, and that this is well-designed and useable. Communal external amenity space should be easily accessible by all residents.

8.65 Policy DM12 of the WFLP DM Policies (2013) requires all major new developments to provide high quality and useable open spaces and/or landscape infrastructure. Residential and mixed use proposals should contribute to the provision of high quality and accessible exercise, play and recreational facilities, either on or off site, based on child yields.

8.66 The provision of play space should be in accordance with the Mayor's Shaping Neighbourhoods: Play and informal Recreation SPG (2012). Policy 3.6 of the London Plan (2016) seeks to ensure that development proposals include suitable provision for play and recreation. Further detail is provided in the Mayor’s SPG, which sets a benchmark of 10sq.m. of useable child play space to be provided per child, with under-fives play space provided on-site as a minimum.

8.67 For flatted developments Policy DM7 of the WFLP DM Policies (2013) requires 10sqm of amenity space to be provided per bedroom which can be provided in a mix of private and communal amenity space, with a minimum of 5sqm private amenity space to be provided per unit via balconies or terraces.

8.68 The development would have 158 bedrooms; therefore 1,580sqm of overall amenity space would be the policy target. All of the residential units would have access to private amenity space, through the use of balcony spaces, a minimum of 5sqm would be provided per unit, with some units having much more than this, totalling 797sqm throughout the development. Taking this 797sqm from the overall amenity space policy requirement, the policy target of 783sqm of communal amenity space should be provided across the development.

8.69 In terms of child play space, the GLA calculator finds that the scheme as it stands would yield 34 children (14 x under 5, 11 x 5-11 and 8 x 12+) which requires a Policy minimum of 340sqm of on-site child play space in accordance with Policy DM7 of the WFLP DM Policies (2013).

8.70 As such the total policy requirement for communal amenity and child play is 1,123sqm.

8.71 The application proposes two main areas of communal amenity space on the site; the ‘Podium Courtyard’ (404sqm) to the south of the tail element of the scheme at first floor level and the ‘Garden Square’
(167sqm) to the west of the nursery. These have been designed as multifunctional spaces that function as amenity space for adults as well as being attractive for child play with planting and seating integral to the layout. The spaces would include sculptural play elements rather than traditional equipment which would enable child play and also be visually attractive within these communal garden areas.

8.72 In addition to this, there is a communal terrace on the top of the shoulder element at the 9th floor (100sqm) and just to the south west of the site the development would fund the upgrading of public realm where First Avenue meets Hoe Street to create the First Avenue pocket park (250sqm).

8.73 These spaces would provide 921sqm of high quality communal amenity and child play space which, although under the policy target is considered acceptable within this constrained town centre site.

Conclusion

8.74 For the above reasons, the principle of the development is considered acceptable in accordance with Policy 1.1, 3.4, 3.8, 3.9, 3.11, 3.12 of the London Plan (2016), Policy CS1, CS2, CS15 of the WFLP Core Strategy (2012), Policy DM1, DM3 DM7, DM12, DM19 and DM22 of the WFLP DM Policies (2013) and Policy WTC2 and WTC10 of the Walthamstow town centre AAP (2014).

B. THE DESIGN OF THE DEVELOPMENT

8.75 Policies DM29 and DM30 of the WFLP DM Policies (2013) seek a high standard of urban and architectural design principles for all new development.

8.76 Policy CS15 of the WFLP Core Strategy (2012) require development to be of a high standard and design quality that responds to the local context and the character of the surrounding area, while improving the way places function by promoting local distinctiveness and a strong sense of place.

8.77 In addition, Policies 7.4, 7.5 and 7.6 of the London Plan (2016) seek to introduce appropriate design guidelines that respond to local context.

The Principle of a Tall Building

8.78 Policy 7.7 of the London Plan (2016) states that tall and large buildings can form part of a strategic approach to meeting the regeneration and economic development goals laid out in the London Plan, particularly in order to make optimal use of the capacity of sites with high levels of public transport accessibility.

8.79 Policy CS15 of the WFLP Core Strategy (2012) directs tall buildings (10+ storeys) to key growth areas such as Blackhorse Lane, Northern Olympic Fringe, Walthamstow Town Centre and Wood Street.

8.80 Policy DM31 of the WFLP DM Policies (2013) states that tall buildings can maximise the use of land and create sustainable buildings at locations well-served by public transport and local services.
The Urban Characterisation Study for Waltham Forest conducted in 2009 noted the intensification of Walthamstow Town Centre would be likely to continue and saw the opportunity for taller buildings here. Since that time the principle of tall buildings has been well established in Walthamstow Town Centre with the 13-storey Travelodge hotel building on Hoe Street, a 12-storey residential building to the south of Walthamstow Central station and a 16-storey residential building at South Grove. In addition to this four towers have received outline permission as part of the Mall redevelopment ranging between nine and 29-storeys and more recently the Central House site on Hoe Street receiving permission for an 11-storey building.

In terms of the immediate townscape around the application site, there is an emerging cluster of tall buildings around the gyratory which the proposed development would form part of. The Travelodge is on the opposite side of the gyratory to the west, there is The Point, a nine storey building to the north-west and there is the recent permission for the 11 storey Central House development to the north.

As stated above Policy CS15 of the WFLP Core Strategy (2012) directs tall buildings to key growth areas such as Walthamstow Town Centre and states that the following criteria are relevant for the siting of taller buildings:
- ‘gateway’ sites or key entrance points to the borough
- specific locations at key junction along principal routes

Policy WTC9 of the WFLP Walthamstow Town Centre AAP (2014) also focuses taller buildings at key ‘gateway’ sites near Walthamstow Station and St James Street Station.

The application site is within Walthamstow Major Centre where the principle of tall buildings has been well-established. In addition, to this the application site is a ‘gateway’ site opposite Walthamstow Central Station and on a key junction (the gyratory) along a principle route (Hoe Street), meeting the taller building criteria noted above. The public transport accessibility of the site is almost the highest level at PTAL 6a (6b being the highest level). In terms of the immediate townscape there is an emerging cluster of tall buildings around the gyratory, which the site abuts.

For the above reasons, a tall building in this location is supported in accordance with Policy 7.7 of the London Plan (2016), Policy CS15 of the WFLP Core Strategy and Policy DM31 of the WFLP DM Policies (2016).

Height, Bulk & Massing

Policy 7.7 of the London Plan (2016) states that tall buildings should relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm and that they must
incorporate the highest standards of architecture and materials, including sustainable design and construction practices.

8.88 Policy DM29 of the WFLP DM Policies (2013) seeks that new developments reinforce and/or enhance local character and distinctiveness, taking account of patterns of development, urban form, building typology, detailing and materials and that they respond to their context in terms of scale, height, and massing.

8.89 As mentioned in the previous section, there are a number of tall buildings either built or coming forward in Walthamstow Town Centre generally and an emerging cluster of tall buildings around the Hoe Street gyratory specific to the immediate location. However, as well as abutting the gyratory on its principle west end, the site extends east with a two-storey terrace along First Avenue to the south and a similar terrace to the north beyond the railway line on St Mary Road. To the east of the site there are three- and four-storey residential blocks.

8.90 It is considered that the design responds to the polarised scales that characterise the existing and emerging surrounding development. This has been achieved by designing the scheme with two elements. A tower element and a tail element including the standalone nursery. The tower element would be located at the western end of the site, addressing the junction and the larger scale of development seen here. The tail element, connected to the tower, would be predominantly four storeys with a ten storey shoulder element that mediates between the taller and lower scales of the building. The low scale residential character of First Avenue and St Mary Road would be respected by the four-storey scale of the eastern tail element as would the separate two-storey nursery at the eastern end.

8.91 It is, therefore, considered that the height, scale, massing of the proposal would be acceptable and would accord with Policy 7.7 of the London Plan (2016) and Policy DM29 of the WFLP DM Policies (2013).

Elevation Design & Materials

8.92 As mentioned above Juniper House has been conceived as a building of two parts with distinct tower and tail elements. While it still needs to hold together visually as a cohesive single building, the two sides of the building face onto different contexts. The applicant has developed two distinct architectural languages to respond to these differing aspects that tie together with shared accent features.

Tail

8.93 The predominantly four-storey and part ten-storey tail would respond to the more domestic scale of the residential neighbourhoods to the north, south, and east of the site. This lower scale element would have an irregular rhythm of punched openings. The southern elevation of the tail would be characterised by a continuous private balcony that would zig-zag across the elevation, angling out and then in order to eliminate direct views to neighbouring housing on First Avenue to the south. This elevation would also include concrete or stone horizontal feature
banding and brick pier screens that would ensure privacy between the proposal and First Avenue.

In terms of materials, the surrounding residential context is characterised predominantly by brick in a range of colours. The tail would be constructed with a blended brown and buff brick palette. Balustrades are proposed as bronze-coloured metal railings, with the angled vertical metal balusters further assisting with controlling overlooking. The above set out design and materiality of the tail element would be considered acceptable within the surrounding area.

**Tower**

8.94 In contrast to the elevational treatment of the tail, 16-storey tower element on the other hand would be conceived as a grid of simple proportioned windows and inset balconies accented by defined window surrounds.

8.95 The new Juniper House tower would inherently form a relationship with the existing Travelodge tower in urban design terms given their immediate proximity to each other on opposite sides of the gyratory. It is considered that the materiality of this scheme would relate appropriately.

8.96 Rather than emulate the multi-material, stepping geometry approach of the Travelodge to break up the building mass, the proposed development would take a more sculptural approach with a single brick. By subtly angling the western and southern elevations of the tower vertically around the mid-point, the elevations would be subtly divided into two halves, creating two distinct facets which would reflect light and cast shadows distinctively.

8.97 In terms of materials the proposed development would use a reflective dark-grey brick with variations in the colouring for the tower to accentuate the play of light and shadow on the elevations. It is considered that this would give reflection and variety to the elevations throughout the day and at different times of year. The reflective brick would be accented with light colour concrete or stone window linings.

8.98 The two halves of the western elevation of the tower are also contrasted with two primary window types; simple square punched openings to the south, and chamfered rectangular openings to the north. This further accentuates the vertical division between the halves of the western elevation breaking the massing of the building.

8.99 Interest would be added to the scheme with a roofline that is angled upwards from the central dividing point on the building with the angle more pronounced on the northern half of the building.

8.100 A slight overhang of the tower element onto Hoe Street and change in material would help separate it from the commercial base of the building.
8.101 The inset balconies would be constructed with bronze colour metal balustrades. Many bedroom and secondary windows would also have Juliette balustrades.

8.102 The above design and materiality would be considered visually acceptable within the surrounding area.

*Commercial Base*

8.103 The commercial frontage onto Hoe Street would be two storeys at its south-western corner, but one storey at the north-west corner as the levels rise towards the railway bridge. It would sit adjacent to two-storey residential terrace accommodation to the south. The proposed elevation design would be a modified version of the domestic scale architectural approach proposed for the tail element. It would maintain the horizontal feature bands and blended brick piers used in the tail but the openings would be varied and increased in size to make them suitable for a non-residential frontage. It is considered that this would activate the Hoe Street frontage and create a human scale at the base of the tower, distinct from the tower element above and as such correspond with the adjacent terraced housing on First Avenue and tie in with the tail element of the scheme.

*Nursery*

8.104 The nursery proposed at the eastern edge of the site is conceived as a 53-child multi-age facility. Although the design is intended as a shell-and-core fit-out to maximise flexibility for the Council’s eventually selected provider, the applicant has designed generic layouts to enable the development of the façades, access, amenity, and structural solutions. The materiality would again be the same as the tail element and the elevation design maximises glazing on the east and west elevations, at the nursery entrance and facing onto its enclosed play space.

*Conclusion*

8.105 For the reasons above, the height, bulk, massing, form, materiality and elevation treatment of the proposed development would be acceptable in accordance with Policies 7.4, 7.5, 7.6 and 7.7 of the London Plan (2016), Policies DM29, DM31 and DM32 of the WFLP DM Policies (2013) and Policies CS2 and CS15 of the WFLP Core Strategy (2012).

*C. IMPACT ON HERITAGE ASSETS*

8.106 Policy CS12 of the WFLP Core Strategy states that in managing growth and change, the Council will promote the conservation, enhancement and enjoyment of the Borough’s heritage assets and their settings.

8.107 Policy DM28 of the WFLP DM Policies (2013) supports Policy CS12 stating that development proposals which may affect the significance of
heritage assets in Waltham Forest (both designated and undesignated) or their setting should demonstrate how these assets will be protected, conserved and where appropriate enhanced.

8.108 There are no listed buildings within the site or immediate townscape of the application site however due to the size of the proposal and its location it would have an impact on the setting of some conservation areas and listed buildings to the east of the site, mainly Walthamstow Village Conservation Area and to some extent Orford Road Conservation Area. This impact therefore needs to be taken into account when assessing the application, with regard given to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF (2019) and Policy DM28 of the WFLP DM Policies (2013).

8.109 Following initial comments from both the Council’s conservation officer and Historic England, the applicant submitted a detailed Heritage Statement (March 2019) and additional verified views. This sets out and assesses the existing, consented and cumulative heritage impacts of the proposed scheme.

8.110 In considering the surrounding heritage assets, there is particular focus on the impact this proposal could have on the Walthamstow Village conservation area and on a number of listed buildings within it, notably Vestry House Museum, Squires Almshouses, and St Mary’s Church & Churchyard (including listed monuments).

8.111 Walthamstow Village was the first conservation area designated in the borough, shortly after the Act passed into law in 1967. It is characterised as having a ‘rural character’, and the appraisal notes that every building and space contributes to its special interest, as a result of its compactness. The conservation area management plan states, under setting and views:

8.112 “The largely sylvan context of the Conservation Area; it’s “setting”, is very important, and development which would not preserve or enhance the character or appearance of the area or its setting, or which would impact detrimentally on views into and out of the area will be resisted. The important views are identified in the Character Appraisal, and the Council will seek to ensure that all new development respects these views.

8.113 Action: The Council will seek to ensure that all development respects the setting of the Conservation Area and important views within, into, and out of the area identified in the Appraisal. These will be protected from inappropriate forms of development.”

8.114 It is considered that the view from Church Lane/Church End towards Vestry House Museum and the Squires Almshouses to be of some significance, and this would also appear to be the view of Historic England, based on their consultation response of 23rd January 2019. It is this view which will be impacted the most as a result of the proposal, with the tower prominent behind the listed buildings and disrupting the rural character of the conservation area.
8.115 Whilst it should be acknowledged that this view has been very slightly altered in the past few years as a result of the Travelodge tower, the impact is very subtle and does not justify in itself further intrusion. Moreover, aside from the marginal impact of the Travelodge tower, this view remains largely unaltered, with roofs, chimneys and trees viewed against open sky. It is considered that the proposed building would intrude into this view in a significant way and would result in harm being caused, to the view and to the setting of listed buildings.

8.116 The submitted Heritage Statement gives thorough consideration to the impact of the proposal, and concludes that ‘minor adverse impact’ will be caused to the Walthamstow Village Conservation Area and the Grade II listed Squires Almshouses. It continues that the proposal will have ‘no impact’ on Vestry House Museum. Whilst the assessment contained within the Heritage Statement is broadly agreed there is some disagreement with the conclusions.

8.117 In terms of the view from Church Lane it is considered that substantial harm would be caused to this particular view, which needs to be given significant weight in the planning process. However in terms of affecting the special interest and character of the conservation area as a whole, this harm would be reduced and would amount to less than substantial harm overall. Similarly, it is considered there would be a negative impact on the setting of both Squires Almshouses and Vestry House Museum that would amount to less than substantial harm. As such the application should be weighed against the public benefits of the proposal.

8.118 With regards St Mary’s Church and Churchyard, there would similarly be an impact on the setting, with the proposal appearing in some views, albeit partially concealed by trees. In itself this would result in less than substantial harm. Cumulatively this impact is increased, with other consented proposals, notably The Mall development, also appearing in these views west, and so this has been borne in mind when assessing the application and whether this harm is outweighed by public benefits.

8.119 Historic England are in agreement that the scheme would cause clear harm to the character and appearance of Walthamstow Village Conservation Area “one of London’s most intact historic village settlements, disturbing the perceived rural and open setting that is integral to the conservation area’s significance and signals the visible urban hardening of the conservation area’s setting”. They are also of the opinion that this harm would be less than substantial and as such, in accordance with the NPPF (2019), the harm must to be considered as part of a balanced judgement in determining the application. Great weight should be given to the asset’s conservation in line with NPPF (2019), with any harm to its significance, requiring ‘clear and convincing justification’ and weighed against the public benefits of the scheme.

8.120 Notwithstanding the harm discussed above it should be noted that the view west along Church Lane is not identified specifically in the conservation area appraisal reducing the amount of significance that
can be attached to it. The less than substantial harm to the setting of the conservation area overall has been weighed against the significant public benefits of the proposal, as detailed in the other sections of this report. These include the provision of affordable housing; on-site social infrastructure; substantial landscaping, amenity and public realm upgrades; the re-provision of improved employment floorspace; and sustainable brownfield regeneration and is summarised below:

**Regeneration**

- Sustainable regeneration of a prominent brownfield town centre site through the provision of high quality place-making and design.
- Utilisation of an under-used and unattractive site, which makes a limited contribution to Walthamstow major centre to create a new, secure and inclusive residential development.
- Delivery of 91no. new residential units, of which 51% (by habitable room) will be delivered as affordable, making a valuable contribution to the annual housing requirement for the borough (equating to 10.5%)
- Provision of a mix of uses that will promote and enhance the vitality and viability of this part of the major centre
- Significant landscaping improvements (including the delivery on-site amenity provision and a pocket park) that will enhance the site and surrounding area, generating amenity and environmental improvements whilst also improving connections and pedestrian experience to and from the site

**New Employment Opportunities**

- Delivery of 950 sqm of new on site employment floorspace, facilitating additional full time employment opportunities and spin off economic activity (including local construction jobs and supply chain linkages)
- C.1,700 sq m of new and refurbished off-site employment space created by the scheme at the Magistrates to accommodate relocated staff

**Increased Social Infrastructure Provision**

- On site nursery with purpose built class rooms and outdoor spaces for c.53 children; and additional contributions to services secured by Legal Agreement
- Sustainable travel opportunities and improvements
- Promotion of sustainable travel and reduced car use/reliance
- Electric vehicle charging provision
- Provision of dedicated Travel Plans, supported by a comprehensive Parking Management Plan

8.121 Great weight has been placed on the harm the proposal would cause to certain views within the Walthamstow Village Conservation Area. Taking the above public benefits, which are not insignificant, into
account however it is considered that these would on balance outweigh the less than substantial harm identified.

8.122 In terms of other heritage assets whose setting may be affected as a result of this application, The Orford Road Conservation Area has a noticeably more compact urban feel, with longer views in an out largely restricted, as such it is considered unlikely the proposal would have an impact here. The same applies to key listed buildings within the Orford Road Conservation Area, although mention should be made to Orford House, where the tower may appear in the background to some views of the building. However it is not considered that this would impact upon its significance.

8.123 For the above reasons, the impact on the character and appearance of the wider setting of the nearest designated heritage assets would be, on balance, acceptable and would accord with Policies 7.6 and 7.8 of the London Plan (2016), Policy CS12 of the WFLP Core Strategy (2012), Policy DM28 of the WFLP DM Policies (2013).

D. AMENITY

8.124 Policy 7.6 of the London Plan (2016) states that buildings and structures should not “cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate”.

8.125 Policy DM32 of the WFLP DM Policies (2012) states that when considering the impact of a new development on residential amenity the Council will have regards to impacts on daylight and sunlight, outlook and privacy of surrounding properties.

Daylight/Sunlight

8.126 The BRE guidance (2011) sets out the main methods of assessing diffuse daylight in relation to existing properties as the Vertical Sky Component (VSC) and No Sky Line (NSL).

8.127 The Vertical Sky Component is defined by the percentage of the sky visible from the centre of a window. Diffuse daylight may be adversely affected if after a development the Vertical Sky Component is both less than 27% and less than 0.8 times its former value.

8.128 The distribution of daylight within a room can be calculated by plotting the ‘no skyline’. The no sky line is a line which separates areas of the working plane that do and do not have a direct view of the sky. Daylight may be adversely affected if, after the development, the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.

8.129 The BRE guidelines state that in housing the main requirement for sunlight is in living rooms and conservatories. It is viewed as less important in bedrooms and kitchens. Sunlight is also valued in non-domestic buildings depending on the use.
8.130 The BRE guide states that sunlight availability may be adversely affected if the centre of the window:

- Receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March;
- Receives less than 0.8 times its former sunlight hours during either period and;
- Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

8.131 In terms of overshadowing the BRE guidelines recommend that for an amenity area to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on 21st March. If as a result of new development an existing garden or amenity area does not meet the above, and the area which can receive two hours of sun on 21st March is less than 0.8 times its former value, then the loss of the sunlight is likely to be noticeable.

8.132 Policy 7.6Bd of the London Plan (2016) requires new development to avoid causing ‘unacceptable harm’ to the amenity of surrounding land and buildings, particularly in relation to privacy and overshadowing where tall buildings are proposed. However an appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.

8.133 The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.

8.134 A Daylight and Sunlight Report by Hill Partnerships Ltd was submitted with the application. This has been assessed by officers and independently reviewed by BRE, the Council’s external consultants for this application. BRE provided a detailed analysis of the submitted Daylight and Sunlight Report.

8.135 The study tested the impact on the following neighbouring properties:

- 223-225 Hoe Street and fronts of 2-40 First Avenue
- Rear of 1 – 33 First Avenue
- 35 – 41 First Avenue
- 1-19 Second Avenue
- Former Amenia Cottage
- 39 and 51 – 81 St Mary Road
- 74-76 St Mary Road and Stainforth Road
- Central House, 189-203 Hoe Street
- 265 Hoe Street (The Goose) and 1-29 Selborne Road (The Point)
- 2 Station Approach (Travelodge)
- 286-288 Hoe Street

8.136 The following analysis, gained largely from our independent consultants will look at the sunlight and daylight impacts of each of these addresses in turn.

223-225 Hoe Street and fronts of 2-40 First Avenue

8.137 Windows at these properties face northerly towards the development site. Windows have the potential to light habitable rooms on the first and second floors at 223-225 Hoe Street (the ground floor is a café). Houses at 2-40 First Avenue would have front windows looking towards the development.

8.138 All windows would meet the VSC guidelines. Where daylight distribution results are also presented (223-225 Hoe Street and 26 First Avenue) they would also meet the guideline.

8.139 Loss of daylight would not be an issue since properties are to the south of the development site.

Rear of 1-33 First Avenue

8.140 These properties are directly to the south of the proposal. Rear windows would have a view of the development and gardens directly bound the site.

8.141 Loss of sunlight would not be an issue since the development is to the north. However, the results shown in the GL Hearn appendix show there would be a very significant loss of daylight to many of the properties.

8.142 The results shown in the GL Hearn report make clear there would be a significant loss of daylight to the rear of Nos. 1 – 33 First Avenue. All properties would be impacted, with results well below the guidelines in many cases. Several properties would have all of their main rear windows significantly outside the guidelines.

8.143 It should however be noted that although there would be some relatively large impacts to the rear of these properties daylighting to the front of these properties would not be impacted by the development.
35 - 41 First Avenue

8.144 Rear windows to flats at 35 – 41 First Avenue would have a view of the proposed development. The results given in the GL Hearn appendix suggest that one window would be below the BRE VSC guidelines. The room is also lit by another window which would meet the guidelines (although this appears to be the secondary window). Daylight distribution results suggest that this room, and all others at the properties, would meet the guidelines. The impact is assessed as minor.

8.145 Loss of sunlight would not be an issue as rooms with a view of the development appear to be kitchens and in any case results presented meet the guidelines.

43 First Avenue

8.146 Windows at 43 and 43A – C First Avenue would not have a direct view of the development site. All windows analysed by GL Hearn would meet the VSC guidelines. The impact is assessed as negligible. Loss of sunlight would meet the guidelines. The impact to the property is assessed as negligible.

1 – 19 Second Avenue

8.147 Windows at the rear of properties along 1 – 19 Second Avenue have been analysed by GL Hearn. All windows, expect one, would meet the VSC guidelines. Where data has allowed analysis, daylight distribution is also met. The window below the guidelines is at 19 Second Avenue and only misses the guidelines by the smallest of margins. The impact is assessed as negligible to minor.

Former Amenia Cottage

8.148 Flats to the former Amenia Cottage would have some windows facing westerly towards the proposal site. The results presented show that three windows would be below the BRE VSC guidelines. Two of these appear to light the same kitchen, with one only below the guideline target of 27% by a small margin. The room is also lit by a third window which would meet the guidelines.

8.149 The other window below the guidelines is the main window to the living area. It would appear that two other secondary windows meet the VSC guidelines and the daylight distribution and sunlight results would also meet the guidelines. In the window maps it appears that a balcony overhang above the main living room window (and third kitchen window) is included in the analysis. On the BRE site visit the balconies were not seen. The figures presented in the GL Hearn report may therefore be an underestimate for the windows. The impact here is assessed as minor.
39 and 51 – 81 St Mary Road

8.150 St Mary Road is to the north of the site and would have a view of the development over the railway line. GL Hearn has analysed windows at the rear of numbers 39 and 51-81. This appears to be a sensible approach to assessing worst-case areas, as number 39 directly faces the nursery part of the development and 51-81 face the main development.

8.151 The results in the GL Hearn appendix suggest that for 39 and 51-57 St Mary Road all windows analysed would meet the VSC guidelines. GL Hearn also analysed daylight distribution at 55 St Mary Road, which would meet the guidelines. Loss of sunlight to windows and gardens would also meet the guidelines. As such the impact is assessed as negligible.

8.152 The rear of 63 - 81 St Mary Road would generally experience daylight/sunlight impacts ranging from to minor to moderate, with a major impact to the garden of number 73.

8.153 Cumulative daylight/sunlight impacts are also relevant here. The Central House development (ref. 183632), approved 29th March 2019 would create an eleven-storey hotel building to the north of these properties. A cumulative assessment of both schemes in place has not been undertaken for either proposal and should be considered however it is noted that there would be a cumulative impact of both schemes to at least 75 – 81 St Mary Road where main windows at the front and rear (facing the Central House and Juniper House schemes respectively) would be below the loss of daylight guidance. This would be a major impact as the main rooms in the properties would likely be affected.

74 – 76 St Mary Road and Stainforth Road

8.154 These properties are located to the north of St Mary Road. The results presented by GL Hearn suggest that all windows analysed would meet the loss of daylight and sunlight guidelines. The impact is assessed as negligible.

Central House, 189 – 203 Hoe Street

8.155 GL Hearn have analysed windows to apparent habitable areas. All windows would meet the loss of daylight and sunlight guidelines. The impact would be assessed as negligible.

265 Hoe Street (The Goose) and 1 – 29 Selborne Road (The Point)

8.156 These properties are to the north-west of the site across the railway bridge and gyratory. All windows analysed by GL Hearn would meet the loss of daylight and sunlight guidelines. The impact is assessed as negligible.

2 Station Approach (Travelodge)
8.157 All windows analysed to Travelodge bedrooms would meet the VSC guidelines. All but two rooms would also meet the daylight distribution guidelines. The impact is assessed as minor.

Windows with a direct view of the development face north and therefore loss of sunlight would not be an issue. In general, loss of daylight and sunlight to hotel rooms may be considered less important than residential areas.

286 – 288 Hoe Street

8.158 To the south-west of the development site, windows on the first floor and above at 286 – 288 Hoe Street appear to light flats. The results in the GL Hearn report show that all windows would meet the VSC guidelines. Loss of sunlight would not be an issue since the development is to the north. The impact is assessed as negligible.

Conclusions

8.159 The results confirm that the proposed development does not fully comply with the BRE numerical guidelines and there would be some pronounced daylight/sunlight impacts in places. It is important to note that the BRE numerical targets should be interpreted flexibly, since natural lighting is only one of many factors in site layout design and should be viewed amongst all material considerations affecting the scheme.

8.160 The results in the GL Hearn report make clear that there would be a significant impact to daylight to the rear of 1 – 33 First Avenue. All properties here would be affected to some degree, with some windows suffering a loss of over half their current daylight. Daylight provision to the rear of these properties would be severely affected but it should be noted that daylighting to the front of these properties would not be impacted by the development. In general, there would also be a minor – moderate impact to daylight and sunlight the rear of 63 – 81 St Mary Road, with a major impact to the garden of number 73. There is also likely to be a cumulative impact from the Central House development to these properties. The impact to other surrounding areas tested would be assessed as negligible – minor.

8.161 Overall, there is a certain degree of impact that is to be expected when optimising a central site such as this one in a major town centre. This is an urban site in an area where there is an emerging larger scale of development coming forward, which are bound to cause some obstruction to daylight and sunlight. In order to deliver the growth targets for Walthamstow it is accepted that there may need to be some flexibility with regards amenity impacts to surrounding development. For these reasons the proposed impacts to daylight, sunlight and overshadowing are considered acceptable on balance within this central town centre location complying with Policy 7.6 of the London Plan (2016) and DM32 of the WFLP DM Policies (2013).
Daylight/Sunlight of the Proposed Development

8.162 All the proposed residential units would receive an adequate level of daylight and sunlight levels.

8.163 BRE conclude that in general daylight and sunlight provision to the tower element meets the BRE guidelines. In the whole scheme all but two bedrooms would meet the recommendations.

8.164 Daylight and sunlight provision to living rooms on the south side of the tail element would not fall below the guidelines.

Of the 27 living / dining / kitchen spaces in this part of the scheme only three would meet the living room Average Daylight Factor (ADF) recommendation (with one of these also meeting the kitchen recommendation). The Average Daylight Factor is a metric that expresses as a percentage the amount of daylight inside a room (on the working plane) compared to the amount of unobstructed daylight available outside under an overcast sky.

8.165 Twenty-four of the living areas would also be below the annual probable sunlight hours recommendations. This is almost exclusively as a result the design of the proposed balcony areas around these rooms to maintain privacy with First Avenue and discussed in more detail in the following section. This limits the daylight and sunlight able to be received here. The importance of ensuring the privacy of residents of First Avenue has been prioritised here and all but two bedrooms in the flats would meet the guidelines. It is considered that the daylight and sunlight level received by the flats would still be considered to be adequate to accord with Policy 7.6 of the London Plan (2016) and DM32 of the WFLP DM Policies (2013).

Privacy/Overlooking

8.166 In order to safeguard privacy the GLA’s Housing SPG (2016) states that development should maintain a distance of about 18 to 21 metres between habitable windows. However, it does acknowledge that adhering rigidly to this yardstick can limit the variety of urban spaces and unnecessarily restrict density.

8.167 The nursery would be located at the eastern end of the site. To the east of this would be the flats at Former Amenia Cottage which would be between 12m and 14.5 metres from the eastern elevation of the nursery. As the nursery is non-habitable and would only be occupied during the day it is considered that this relatively close relationship would be acceptable.

8.168 The northern elevation would have a separation distance of at least 35 metres, beyond the railway, to the rear elevations of houses on St Mary Road and as such would have a comfortable relationship here.

8.169 There would also be a comfortable separation distance to the west, where there would again be at least 35 metres across the gyratory to properties on the opposite side.
8.170 The southern elevation of the proposal achieves between 16 and 24 metres with the rear elevations of houses on First Avenue. The podium terrace on the upper ground floor level would abut the boundary with the rear gardens of these properties and would be 12 metres from the rear elevation of First Avenue at its closest point. In order to mitigate any privacy impact on this elevation a number of design measures have been put in place including:

- Continuous undulating balcony which prevents direct views towards neighbouring gardens.
- Angled balusters and brick screens which block long distance direct views into neighbouring gardens.
- Planting of trees within raised planters on the southern boundary of the podium amenity terrace that are leafy throughout the year to prevent direct overlooking onto the neighbouring gardens. This is considered to result in an acceptable relationship here.

The southern elevation of the nursery would be between 9 and 13 metres from the northern elevation of the flats at 35-41 First Avenue. There would be limited fenestration on this elevation with only two small openings at ground floor level and one at first floor level. The main fenestration for the nursery is on the western and eastern elevations. Again, this southern relationship would not be habitable to habitable room relationship and the nursery would only be used during the day. As such this relationship is considered acceptable to maintain privacy for the flats at 35-41 First Avenue.

8.171 For the above reasons, it is considered that the separation distances between the proposed building and existing properties, as set out above, would preserve privacy levels to existing properties and achieve adequate privacy for the occupants/guests of the new buildings in accordance with Policy 7.6 of the London Plan (2016) and DM32 of the WFLP DM Policies (2013).

**Outlook**

8.172 Policy DM32 of the WFLP DM Policies (2012) defines outlook as the visual amenity afforded by a dwelling’s immediate surroundings. It is expected that new developments should fit in within existing developments in functional terms, without creating an overbearing and dominating effect on adjoining occupiers.

8.173 In terms of outlook, the separation distances to the west and north are considered comfortable and would not unduly harm the outlook of neighbouring residents in these directions. Although positioned 12 to 14.5 metres from the flats at Former Amenia cottage, it is considered that the two storey scale of the nursery would not unduly impact the outlook of these flats.

8.174 In terms of the southern elevation, the two storey scale of the nursery would again be considered to result in an unduly harmful impact on the outlook of 35-41 First Avenue. The creation of the podium terrace would mean a wall of just over 5.5 metres in height at the rear garden.
the properties on First Avenue which would rise to 10 metres where the commercial element of the scheme abuts these gardens at the western end of the scheme, reducing the outlook of the rear of these properties. In addition to this the scale of development, especially the tower element would be considered to also reduce the outlook of properties. It is considered that this relationship would cause a somewhat overbearing impact here however it is not considered unacceptable within this constrained town centre site. Again, some impact in this regard may be necessary to optimise the site and deliver the growth targets for Walthamstow major centre. The impact is considered to be mitigated by the fact that the dwellings would continue to have good outlook from the front elevation.

8.175 For the above reasons the proposal would have an acceptable impact on neighbouring outlook accordance with Policy 7.6 of the London Plan (2016) and DM32 of the WFLP DM Policies (2013).

E. TRANSPORT & HIGHWAYS

8.176 Policy 6.1 of the London Plan (2016) encourages development which reduces the need to travel and supports development at locations with high public transport accessibility. The Mayor’s overall strategic vision is to encourage development to reduce car-borne travel.

8.177 At a local level, Policy CS7 of the WFLP Core Strategy (2012) sets out that the Council will promote sustainable travel by guiding development to accessible locations, including town centres, to reduce the need to travel by car and to encourage walking, cycling and the use of public transport.

8.178 In addition, Policy DM14 of the WFLP DM Policies (2013) states that the Council will encourage sustainable travel. Major developments should be developed and contribute to a well-connected network of streets that optimises permeability and legibility and should have no detrimental impact on the walking and cycling environment.

Trip Generation

8.179 The submitted Transport Assessment (TA) (November 2018) sets out the net trip generation to the site. The figures have been refined in a response to comments from TfL (March 2019). As would be expected the response concludes that the proposed development would generate an increase in trips to the site with the net additional arrivals and departures projected to be 179 a day. Although the site would generate more trips there would be a significant fall in car trips to the site, reducing the impact of traffic, noise and air pollution associated with this mode. The following table shows the multi model net change in trip generation at the site.
Table 1 - Net Change in Trip Generation

<table>
<thead>
<tr>
<th>Mode</th>
<th>Daily 7.00-19.00 Two-Way Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car Driver</td>
<td>-153</td>
</tr>
<tr>
<td>Car Passenger</td>
<td>-5</td>
</tr>
<tr>
<td>Underground</td>
<td>122</td>
</tr>
<tr>
<td>Rail</td>
<td>34</td>
</tr>
<tr>
<td>Bus</td>
<td>41</td>
</tr>
<tr>
<td>Walk</td>
<td>121</td>
</tr>
<tr>
<td>Cycle</td>
<td>12</td>
</tr>
<tr>
<td>Motorbike/Scooter</td>
<td>2</td>
</tr>
<tr>
<td>Taxi</td>
<td>1</td>
</tr>
<tr>
<td>Other</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>179</td>
</tr>
</tbody>
</table>

8.180 In terms of delivery and servicing trips it is forecasted that there could be an increase of up to 55 Light Goods Vehicles (LGV) and Other Good Vehicles (OGV) vehicle arrivals, compared to the existing office use. It should be noted that the vast majority of servicing and delivery trips would consist of small to medium sized vans relating to deliveries; with a small number of larger vehicles collecting the general and recycling waste. Also, this conservative estimation is based on the flexible commercial floorspace operating entirely as an A1 food retail which would be considered to result in the most deliveries for the range of uses available for the commercial unit.

8.181 The expected trip generation is accepted by TfL and the Council’s Highways team. The existing streets surrounding the site and public transport infrastructure would be considered to absorb the trips successfully. This would be subject to Highways works required in First Avenue to renew the site access and surrounding footways, renewal of the carriageway in First Avenue between no.29 and the junctions with Second and Third Avenue, and Orford Road. In addition to this an area of public realm that lies next to the site at the junction of Hoe Street with First Avenue would also be upgraded as part of the proposals. These highways works and public realm improvements would be secured by a planning obligation in the Unilateral Undertaking. These improvements would significantly improve the pedestrian and vehicular experience on Hoe Street and First Avenue and mitigate the expected increase in trips to the site.

8.182 The Framework Travel Plan (FTP), outline Car Parking Management Plan, outline Delivery and Servicing Plan (DSP) submitted set out mitigation measures to reduce the external transport effects of the proposed development. They particularly contain measures to reduce
peak hour traffic generation, and ensure safe driving practices. In particular:

- The Framework Travel Plan promotes sustainable travel and would seek to raise awareness amongst residents/users of the accessibility of the site via sustainable travel modes, as well as the proximity of local services and amenities which could be conveniently accessed on foot/cycle.
- The Car Park Management Plan will help to minimise the parking impacts of the development proposals.
- The DSP identifies the strategy and measures for the appropriate management of delivery and refuse vehicles and personnel servicing;

8.183 The submission of detailed versions of all these documents and adherence to them would be secured by condition. For the above reasons, the projected trip generation for the development is considered acceptable in accordance with Policy 6.1 of the London Plan (2016), Policy CS7 of the WFLP Core Strategy (2012) and Policy DM14 of the WFLP DM Policies (2013).

Car Parking

8.184 The development would be car free for general parking, which is supported. A restriction on residents from applying for parking permits for Controlled Parking Zones (CPZ) would be secured within the UU.

8.185 Eight disabled parking bays are proposed as part of the development, located in an undercroft car park at ground level. Seven spaces are allocated to residential users, and 1 space is allocated for commercial or nursery use. LBWF and London Plan standards state that one bay should be provided for each residential unit, and one for each other use (one for commercial and one for the nursery). The development therefore does not provide the overall quantum of disabled parking required by policy for residential and other uses. It should be noted that the site is in close proximity to two step-free Overground stations and 16 bus routes. As such the slight under provision on this tight site is considered acceptable in this accessible location.

8.186 In the eventuality that not all wheelchair homes are fully adapted and the additional wheelchair parking spaces are therefore not required, an alternative configuration where additional cycle parking spaces can be provided to meet the aspirational standards for the draft London Plan has been shown in the plans. This is supported, providing that cycle parking can be removed if the disabled bay is required at any point in the future by a resident.

8.187 A detailed Car Parking Management Plan (CPMP) demonstrating how disabled parking would be allocated to users, and expanded if required, would be secured by condition. Bays should not be allocated to specific units, and be provided to blue badge holders when required, at a
maximum of one per unit. Spaces should be renewed on an annual basis, rather than sold.

8.188 Two disabled spaces are provided with Electric Vehicle charge points, meeting LBWF Development Management Policies and London Plan standards. The remaining six spaces would have passive provision, which could be activated to provide electric charge points to meet future demand.

**Cycle Parking**

8.189 154 cycle parking spaces would be provided as part of the proposal in secure enclosures beneath the podium garden. 148 cycle parking spaces are shown for residential use. There would be 38 (8 staff and 30 visitor) for the commercial use and there would be 11 spaces provided for the nursery. This meets the minimum standards set within the current London Plan and LBWF Development Management Policies and as mentioned in the section above there is the option to increase cycle parking provision if not all of the blue badge spaces are not required. Draft London Plan Standards for cycle parking could be met at the loss of one disabled parking bay and by providing 4 additional short-stay cycle parking spaces for the commercial use on site and 6 – located offsite in the Pocket Park. This would increase cycle parking provision by 18 spaces and 2 short stay spaces.

8.190 Over 5% of stands are provided as Sheffield stands, which is supported.

8.191 The majority of short stay cycle parking for commercial purposes is shown on the First Avenue pocket park on the west of Hoe Street, to the south of the site. Acknowledging the limited space within the site boundary the provision of the short stay cycle parking in this location is considered acceptable.

**Construction**

8.192 Policy CS7 of the WFLP Core Strategy (2012), which forms part of the Waltham Forest Local Plan, aims to develop sustainable transport. It states that the Council will facilitate growth and regeneration in a sustainable manner and promote sustainable travel by promoting the sustainable movement of freight and minimising the impact of freight movement on local amenity, traffic and the environment.

8.193 Policy DM13 of the WFLP DM Policies (2013) states that the Council will ensure that development is properly integrated with the transport network by requiring development proposals to submit Construction Logistics Plans, Delivery and Servicing Plans and the uptake of the Freight Operators Recognition Scheme where appropriate in accordance with the London Freight Plan and coordinated with travel plans.
8.194 Policy DM15 of the WFLP DM Policies (2013) states that the Council will ensure the most efficient use of the borough's available highway network by requiring development to connect to the highway network in a way that encourages road users to use the most appropriate road in accordance with Waltham Forest's road hierarchy and discouraging through-traffic from using local roads and avoiding individual access direct to the Transport for London Road Network, Strategic Road Network and district distributor roads.

8.195 An outline CLP was submitted with the application. It is vital that the construction phase is adequately planned out from an early stage due to the complexities of this site location. An updated CLP, responding to LBWF Highways comments was submitted March 2019, and is now considered acceptable.

8.196 The construction is anticipated to take approximately 122 weeks and would begin as soon as permitted in 2019.

8.197 In terms of vehicle routing and access it is proposed that construction traffic would use First Avenue to access the construction site. The hours of delivery would be between 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 Saturdays and therefore no work would be undertaken at unsociable hours when the impacts of noise on neighbours would be greatest.

8.198 Re-timing out of peak time will aid the operational efficiency of the construction site and the neighbouring area. The developer has committed to attempting to re-time as many deliveries as possible out of the morning peak (07:00 to 09:00). It is proposed that the nursery would now be constructed last and therefore, most of the construction traffic would be turned around within the confines of the site. A banksman would be located on the vehicle gate to facilitate the deliveries.

8.199 The Construction Vehicle Access Strategy will be agreed with LBWF before any construction takes place on-site. Full details of construction, including detailed swept path drawings and assessment of impacts and mitigation measures will be set out within the full version of the CLP which will be secured by condition.

8.200 A range of measures to mitigate the impact from the construction are proposed to reduce the impact from construction, including:

- Safety and environmental standards and programmes
- Adherence to designated routes
- Delivery scheduling
- Re-timing for out of peak deliveries
- Re-timing for out of hours deliveries
- Use of holding areas and vehicle call off areas
- Use of logistics and consolidation centres
- Design for Manufacture and Assembly (DfMA) and off-site manufacture
- Re-use of material on site
- Smart procurement
- Collaboration amongst other sites in the area
- Implement a staff travel plan
- Preventing HGV movements during schools pick-up and drop-off

8.201 A detailed CLP would be required to be submitted for consideration and approval prior to commencement to explain in greater detail how deliveries will be made within the constraints and the sizes of vehicles expected. A review of other construction sites in the local area would take place once a fixed construction programme has been identified. This would identify overlapping construction periods and assist in the assessment of freight consolidation opportunities and cumulative impacts of construction operations in the area. This would ensure that disruption would be kept to a minimum within the surrounding areas.

8.202 The developer would also be required to carry out a condition survey with photographs of the adjoining carriageway and footways in Hoe Street and St Mary Road to be submitted to the Council’s Highways Team for records. The condition survey must include a site plan showing the location of the photographs. Any damage to the highways, occurred as a result of the construction works, would have to be reinstated by the Council and funded by the developer as part of a s.278 agreement under the Highways Act.

**Delivery and Servicing**

8.203 An outline Delivery and Servicing Plan was submitted with the application which sets out the servicing strategy for the development in order to minimise highway impacts.

8.204 All servicing and deliveries associated with the proposed development would access the site via First Avenue. A swept path analysis has been undertaken by the applicant for refuse and delivery vehicles to ensure that these vehicles are able to access the site safely.

8.205 Due to the site constraints, refuse vehicles would reverse into and along the access road via First Avenue, in order for the rear of the vehicle to stop within close proximity of a managed bin store located at the top of the access road. The full bins from the bin stores at each of the residential cores and the nursery would be transferred to the managed bin store ready for collection. The bins would then be manoeuvred from the managed refuse store to the refuse vehicle on collection day; achieving LBWF’s bin wheeling distance requirement of no more than 10m. It should be noted that separate residential bin stores are also provided for wheelchair users.
8.206 Delivery vehicles would also access the site via First Avenue. A dedicated delivery area for 3.5T panel vans would be provided under the podium area. A minimum clear height of 2.8m would be provided within the car parking area to accommodate small to medium sized delivery vans and wheelchair accessible vehicles. Vehicle access under the podium area would be secure, through the provision of a roller shutter, which would provide a clear width of 2.9m.

8.207 It is proposed that 7.5T vehicles (or larger) such as 7.5T box van and panel van vehicles will access the site by stopping adjacent to the residential building, reversing backwards to the roller shutter before driving forwards to exit the site. For larger vehicles (such as 10m rigid vehicles), these will need to reverse into the site and drive forwards to exit; a similar strategy to the refuse vehicles.

8.208 The hours for delivery would be restricted by condition to between the hours of 9.30 and 14.30 and 18.00 and 21.00 on Mondays to Saturdays, and at no time on Sundays, Bank Holidays or Public Holidays. This is to avoid peak times in order to reduce congestion, improve air quality, reduce the risk of collisions with vulnerable road users and ensure faster and more efficient deliveries.

8.209 The Council’s Highways section accept the provisions in the outline Delivery and Servicing Plan and request a detailed version to be secured by condition.

Waste & Recycling

8.210 Policy DM32 of the WFLP DM Policies (2013) states that new developments should ensure that the provision of adequate facilities for the storage, collection and disposal of refuse is well secured. The development would include an internal bin store for the office and hotel buildings.

8.211 The refuse collection strategy is outlined in the above sections. The Council’s Waste and Recycling team have been consulted and are satisfied with the proposed bin stores including the provision for wheelchair accessible units.

8.212 A Waste Management Plan would be secured by condition. As such the waste and recycling provisions are considered acceptable by the Council’s Waste and Recycling team in line with Policy DM32 of the WFLP DM Policies (2013).

Flood Risk and Drainage

8.213 Policy 5.13 of the

8.214 Policy CS4 of the WFLP Core Strategy (2012) “developments should be designed in a manner that “minimises the use of water, protects the water environment and minimises the potential for flooding and the urban heat island effect”
A Flood Risk Assessment and Drainage Statement were submitted with the application and these have been reviewed.

In terms of flooding the site is in a Flood Zone 1, which is classified as having a 'low' probability of tidal and fluvial flooding. All forms of land use are appropriate within Flood Zone 1. Change in run-off associated with the redevelopment of the site have the potential to impact neighbouring sites and as such a suitable sustainable drainage SuDS system must be developed to manage this.

The report and design details the key SuDS features that have been proposed to deal with the majority of the surface water run-off including below ground attenuation tank, permeable paving (partial infiltration if possible) and blue/green roofs.

Policy 5.13 of the London Plan (2016) states that a development "should aim to achieve green field run-off rates". It is proposed to discharge at 5l/s which is marginally above the Site’s 1 in 100 year Greenfield run off rate (4.99l/s) and constitutes a significant reduction from the estimated Brownfield run off rate (78.90l/s). This is considered acceptable.

In terms of drainage the proposal is considered acceptable subject to conditions requiring infiltration testing to confirm the suitability of the site for the use of infiltration as a sustainable drainage (SuDs) element in addition to a condition to secure a detailed SuDs strategy.

For the above reasons the application is considered to comply with Policy CS4 of the WFLP Core Strategy (2012).

For the above reasons the development is acceptable in Highways terms consistent with Policies 5.13 of London Plan (2016) and Policy CS4 of the WFLP Core Strategy (2012).

F. ENVIRONMENTAL IMPACT OF THE DEVELOPMENT

Policy DM24 seeks to control and mitigate pollution in all its forms including noise (and vibration), light, smell as well as land, water and air based. The Council’s Environmental Health team have assessed the proposed development and their conclusions and recommended conditions are set out below.

Noise & Vibrations

Policy 7.15 of the London Plan (2016) requires mitigation measures on existing and potential adverse impacts in terms of noise as a result of new development in order to enhance the acoustic environment of the site and its surroundings.

Policy DM24 of the WFLP DM Policies (2013) states that all major developments should aim to minimise the adverse impacts of noise through sensitive design, management and operation.
The submitted Acoustic Design Statement by RPS (Nov 2018) examines the potential impact that noise from surrounding sources may have on the proposed development and the potential impact noise from the proposed development may have on existing receptors within the surrounding area.

This has been assessed by the Council’s Environmental Health section who did not object subject to conditions requiring: construction/demolition method statement; details of noise mitigation measures; restriction to noise levels from extract system; anti-vibration measures for extract system, noise levels controlled from plant and sound insulation between residential and commercial. With these conditions in place it is considered that the proposed development would not have an unduly adverse impact on new and existing receptors.

In view of the above, the proposed development would be consistent with Policy 7.15 of the London Plan (2016) and Policy DM24 of the WFLP DM Policies (2013).

**Air Quality**

Policy DM24 of the WFLP DM Polices (2013) states that new developments should neither contribute to, nor suffer from unacceptable levels of air pollution. On major applications, this should be demonstrated through an Air Quality Assessment and, if necessary, proposed mitigation measures.

The Air Quality Assessment and Air Quality Neutral Assessment submitted with the application were reviewed by the Council’s Environmental Health section and found to be satisfactory.

Conditions related to air quality controls from CHP/biomass boilers in addition to controls on emissions from boilers, Non-Road Mobile Machinery (NRMM) Low Emission Zone compliance, Air Quality and Dust Management Plan (AQDMP) would be imposed on the application in order to ensure an acceptable air quality impact from the development.

In Waltham Forest, a borough wide Air Quality Management Area (AQMA) has been declared. Developments which may have a significant impact on air quality or, in an area where the existing air quality environment is poor and so will have a significant impact on the development; would require a contribution towards implementation of the Air Quality Action Plan (AQAP). As the development is likely to cause deterioration in local air quality and is located near a location of high relative exposure a UU contribution of £23,360 would be required. UU funding gained will be used predominantly for the maintenance of the AQ monitoring network, implementation of AQAP measures, predictive AQ modelling, education, research, installation of electric charging points and bike hire scheme or car club feasibility.
Contaminated Land

8.232 The site has former contaminative land uses including a blacksmiths, and the site yard was used in part as a bus depot and engineering works. Adjacent to the site is the railway line that opened in 1872. There is also a suspected buried fuel tank present on site. For these reasons the site has potential sources of contamination.

8.233 The re-development is for the mixed use of commercial and residential use, with a separate nursery building. The resident’s courtyard garden is at level 1 at podium level and a communal lawn in a garden square. A private play space is proposed for the nursery. Soil testing shows that there are potential linkages between the ground contamination sources and the future users of the site. Therefore a separate contaminated land condition for the nursery and the commercial/residential parts of the scheme would be imposed on the permission. This would allow the housing to be released independent of the nursery development if required.

8.234 An unexploded ordnance probability assessment has been carried out and it was determined that there was a medium probability of a unexploded ordnance encounter. For this reason the recommendations to deal with this have been included the Construction/Demolition Statement condition.

8.235 As such the proposal would comply with Policy CS13 of the WFLP Core Strategy (2012) and Policy DM24 of the WFLP DM Policies (2013).

Wind and Micro-Climate

8.236 Policy 7.7 of the London Plan and DM31 of the WFLP DM Policies list impacts to microclimate as an aspect to consider for tall buildings. The application provides a Wind and Microclimate Report which concludes that overall wind conditions around the site will preserve pedestrian safety and would be within guidelines for comfortable pedestrian walking.

8.237 There would be some areas of wind speed and duration that would exceed the guidelines for comfortable pedestrian standing in the junction of Hoe Street and Selborne Road extending east-west on Selborne Road and St Mary Road. The report states that the affected zone here mainly falls onto the vehicular road and only in some places it is likely to affect the pedestrian crossing. The rear gardens of properties located at 77-81 St Mary Road would also experience some areas of exceedance but it is considered that trees and fencing would mitigate this impact here.

8.238 For the above reasons it is expected that the wind environment around the site is likely to be broadly maintained at an appropriate level for the use. This is considered an acceptable impact in accordance with the above mentioned policies.
Epping Forest Special Area of Conservation

8.239 Natural England has issued an Interim Advice Letter dated 20th September 2018, in relation to the Epping Forest SAC (Special Area of Conservation) which is based on updated research on the impacts on the SAC and proposed measures to mitigate those impacts with particular reference to those understood to arise from the recreational impact generated by occupiers of new development. The Local Planning Authority is a “competent authority” under the Habitat Regulations and is legally obliged to take Natural England’s advice into account in decision making and attach great weight to it.

8.240 Waltham Forest shares a boundary with the Epping Forest Special Area of Conservation and following research in the form of a visitor survey by Footprint Ecology, has been found to fall within a wider ZOI based on the distance the majority of visitors will travel to visit Epping Forest SAC. This report identified that 75% of visitors travelled up to 6.2Km to the SAC and as result of the whole of the London Borough of Waltham Forest falls within this ZOI for recreational pressure. It is anticipated that new residential development within this ZOI constitutes a LSE (Likely Significant Effect) on the sensitive interest features of the SAC through increased recreational pressure, either when considered ‘alone’ or ‘in combination’.

8.241 The Council as Local Planning Authority is obliged to ensure that any grant of planning permission would have sufficient mitigation measures in place so as to ensure that there would be no harmful impact on the Epping Forest SAC arising from LSE.

8.242 Natural England’s Interim Guidance assumes that all new residential development within Waltham Forest will create an impact on the Epping Forest SAC which will need to be mitigated. The Interim Guidance suggests that mitigation measures should take a threshold approach whereby development of 100 dwellings is treated differently to schemes of 99 dwellings or less.

8.243 For schemes of 99 units or less, such as this one, an initial draft of costed Strategic Access Management Measures has been prepared by the City of London Conservators of Epping Forest. This package of measures is to be used in the interim period until the full Mitigation Strategy has been agreed and adopted. However, as an indication under the interim Strategic Access Management Measures Waltham Forest is expected to contribute circa £1m towards the mitigation works which equates to 37% of the total.

8.244 Mitigation measures for the application have not been agreed for the application. In this case Natural England made no comments on the application and consequently it is read that there would be no significant impact from the development on the Epping Forest SAC.
G. SUSTAINABLE DESIGN AND ENERGY EFFICIENCY

8.245 The application was assessed by the Council’s Energy and Sustainability Consultant, who provided detailed observations in relation to carbon emissions, sustainable design, energy reduction and low carbon energy supply measures.

Carbon Emissions

8.246 The London Plan (2016) Policy 5.2 (Minimising Carbon Dioxide Emissions) sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013. The revised energy report indicated that there would be a site-wide reduction of 65.58% in regulated emissions, far exceeding the London Plan target.

8.247 At the local level, Policy DM10 of the WFLP DM Policies (2013) requires development of one or more units or greater than 100 square metres to be designed with regards to sustainable development principles and to achieve the Council’s stepped targets towards zero carbon by 2016 for residential development and by 2019 for non-residential developments.

8.248 The residential element of the development is now required to achieve the on-site reduction of 35% - and to be zero-carbon overall. The revised Energy Report (April 2019) shows a 70.42% reduction in regulated emissions and a 46.73% reduction in total emissions for the residential element.

8.249 For the non-residential element of the development, Waltham Forest policies currently require an on-site emissions reduction of 35%. The revised report shows a 43.45% reduction in regulated emissions and a 34.34% reduction in total emissions for the non-domestic element. The above meet the required reduction targets in Waltham Forest Policy.

8.250 A condition would be imposed requiring a report to be submitted and approved demonstrating how the scheme reduces the carbon dioxide emissions of the development by at least 35% compared to the 2013 Building Regulations. The report would need to reference the measures set out in the Energy Statement accompanying the planning application, but is required to explain what measures have been implemented in the construction of the development.

8.251 The residential element will have to offset the remaining CO₂ of 27.66 tonnes as Waltham Forest council sets the target to achieve zero carbon for residential development after 2016. The offset rate is £1,800 per tonne. Total offset payment for the residential element is 27.66 x £1,800 = £49,788. This sum is included in the Energy Report and would be secured in the UU.

8.252 At some point in 2019 non-residential developments will be required to achieve zero carbon however, as this application was received in 2018 the 40% reduction target would be applied. As the non-residential
element achieved a 43.45% reduction no Carbon Offset contribution is due for this element of the development.

**Sustainable Design**

8.253 Policy DM10 of the WFLP DM Policies (2013) states “requiring non-residential development greater than 100sqm to achieve BREEAM 'very good' or equivalent standards and encouraging major non-residential developments to achieve BREEAM ‘excellent’ or equivalent”.

8.254 BREEAM pre-assessments have been included for both the nursery and retail elements of the development. The nursery scored 69.17% which achieves the required 'Very Good' rating. The retail element achieved a score of 66.49% again achieving a 'Very Good' rating. A condition securing this rating would be imposed on the permission.

**Energy Reduction and Overheating**

8.255 The energy statement shows that demand reduction measures are expected to deliver a 10.49% saving in the residential element and 26.27% in the non-residential element against the baseline for the development.

8.256 Measures related to insulation, air permeability and lighting would be considered acceptable in terms of energy reduction.

8.257 The Energy Report outlines a number of approaches as to how the risk of overheating will be minimised. These relate to insulation, glazing, thermal mass, external and internal shading, natural ventilation and mechanical ventilation. Active cooling, powered by air source heat pumps, has been specified in the retail area. The need for active cooling in this part of the development is considered to be justified.

8.258 Results for the nursery areas justify the need for active cooling in this part of the development too.

8.259 The above approach to energy reduction and overheating is supported.

**Low Carbon Supply:**

8.260 London Plan (2016) Policy 5.6 states that major development proposals should select energy systems in accordance with the following hierarchy:

- Connection to existing heating or cooling networks;
- Site wide CHP network;
- Communal heating and cooling

8.261 The revised Energy Report (April 2019) specifies communal air source heat pumps to supply heating and hot water to all parts of the development and cooling to the retail and nursery elements. 91%
efficient gas boiler is also shown as part of the space heating system presumably as back up.

8.262 The Energy Report indicates that the London Heat Map has been reviewed and that there is not an existing heat network within close proximity. However, there is a potential district heat network nearby however, correspondence with LBWF and the network operator (WEC) shows that there is no confirmed date on when it will be in place.

8.263 The Energy Report states that the development will be made connection ready for a future network by having a central CHP, communal wet system, and allowance within the building services.

8.264 The Energy Report does not examine the possibility to ‘connect into an existing or implement a new small network linking neighbouring developments or buildings as required in Waltham Forest DM11.

Renewable Energy Supply

8.265 Policy DM11 of the WFLP DM Policies (2013) states that major development should seek to reduce the site’s carbon emissions through on-site renewable energy, to ensure that the proposed renewable system is appropriate to the location and does not significantly adversely affect the development, or local amenity of neighbourhoods, and the environment, including air quality.

8.266 A 36.9kWp solar PV array has been specified which is considered acceptable.

Water


- Implement water efficiency measures to achieve usage of less than or equal to 105 litres/person/day for residential developments.

- Incorporate water saving measures and equipment for any new development of greater than 100sqm.

8.268 The developer has provided full details of how they will meet the requirements of this Policy. A condition securing a scheme detailing measures to reduce water use within the development, to meet a target water use of 105 litres or less per person, per day will be imposed on the permission.

H. TREES AND LANDSCAPING

Policy CS5 of the WFLP Core Strategy (2012) seeks to protect and enhance green infrastructure and biodiversity.

Landscaping
In terms of landscaping the scheme proposes a sequence of multifunctional amenity spaces, some of which have been mentioned earlier in the amenity section of this report. These include:

- Nursery Playspace
- ‘Garden square’ – 167sqm of communal garden to the west of the nursery providing mixed communal amenity and playable space for the development.
- ‘Green lane’ to the north of the development providing access controlled pedestrian route and emergency vehicle access
- ‘Podium courtyard’ – 404sqm of communal amenity and playable space with trees providing screening to First Avenue
- Hoe Street Terrace – trees and planting provided alongside the paving in front of the development on Hoe Street.
- Pocket Park on First Avenue – outside of the site but would be secured by S278 agreement.

The above landscaping proposals are considered acceptable for the site. The plans are still quite indicative at this stage and conditions requiring details of hard and soft landscaping and a landscaping management plan would be secured by condition.

**Trees**

Policy CS5 of the WFLP Core Strategy (2012) seeks to protect existing healthy trees and encouraging the planting of new trees as well as protecting and enhancing biodiversity.

Policy DM35 of the WFLP DM Policies (2013) requires an Arboricultural study to be undertaken on the site. An Arboricultural Impact Assessment by Hayden’s was submitted with the application.

There are currently 17 trees, a group of hornbeam and a group of mature laurel on site. Initially all were proposed to be removed in order to facilitate development at the site, however following recommendations from the Council’s Nature Conservation and Trees section a mature oak tree will now be retained in the corner of the garden square, adjacent to the vehicular entrance. It is considered that the retention of this tree would have a positive impact in terms of biodiversity and visual amenity. Appropriate protection from development and alternative arboricultural and engineering solutions backed up by a robust Arboricultural Method Statement to ensure as best as possible its successful retention of Oak T1 would be secured by condition.

In addition to this the proposal aims to maximise planting on site with the introduction of 29 new trees across the site including a semi-mature oak tree in the garden square which it is intended would eventually replace the existing mature oak when this dies off in 20 years or more. The additional trees would help to screen for privacy, especially on the
podium courtyard space, support air quality, maintain SUDS and the visual amenity of the site.


I. **SAFETY AND SECURITY MEASURES**

**Fire Safety**

8.275 As mentioned above vehicle access to Juniper House for servicing and delivery would only be possible via First Avenue. Fire and emergency vehicle access is the only vehicular route that has been agreed to connect through to Hoe Street due to its infrequency. In the event of an emergency, vehicles can enter the site via First Avenue and exit the site onto Hoe Street. This provides unimpeded access to each communal entrance in the development.

8.276 It is noted that Draft London Plan (2018) Policy D11 ‘Fire Safety’ states that all major development proposals should be accompanied by a Fire Statement. Fire statements should be submitted with all major development proposals. These should be produced by a third-party, independent and suitably-qualified assessor. This should be a qualified engineer with relevant experience in fire safety, such as a chartered engineer registered with the Engineering Council by the Institution of Fire Engineers. Planning departments should work with and be assisted by suitably qualified and experienced officers within borough Building Control departments and/or the London Fire Brigade, in the evaluation of these statements. Further details in connection to a Fire Safety Statement would secured by a planning condition.

**Crime Prevention**

8.277 Policy 7.3 of the London Plan (2016) seeks to ensure community safety by incorporating appropriate design measures that taken into account acceptable boundary treatments, well-designed pathways and access to buildings and acceptable levels of external lighting. Moreover, Policy DM33 of the WFLP DM Policies (2013) seeks a safe environment with appropriate levels of natural surveillance.

8.162 Secured by Design (SBD) is the title for a group of national police projects focusing on the design and security for new and refurbished homes, commercial premises and car parks as well as the acknowledgement of quality security products and crime prevention projects.

8.163 The Metropolitan Police have been consulted and whilst no objection has been raised, a condition is recommended to be applied to ensure that the development achieves a Certificate of Compliance to the
relevant SBD Guide or alternatively achieves Crime Prevention Standards. This would be secured by condition.

8.164 The safety and security measures relating to active street frontages, active and passive surveillance, lighting, external CCTV, secure access points and other measures that have evolved across two meetings with SBD officers and outlined in the supporting documentation are considered to be acceptable and would accord with Policy 7.3 of the London Plan (2016) and Policy DM33 of the WFLP DM Policies (2013).

J. PLANNING CONTRIBUTIONS

8.165 Unilateral Undertakings are a material consideration in the determination of a planning application. The purpose of such an agreement is to make otherwise unacceptable development acceptable and they should only be sought where they meet all of the following tests: i) Necessary to make the development acceptable in planning terms, ii) Directly related to the development and iii) Fairly and reasonably related in scale and kind to the development.

8.166 In terms of the UU agreement, the required Heads of Terms, having regard to planning Policy, the WFLP “Obligations” (2017) and the Supplementary Planning Document “Affordable Housing and Viability” (2018), for this development relate to:

- Local Labour and Employment
- Highways and Public Realm
- Carbon Off-Set
- Air Quality
- Retention of Architect
- Legal Fees

8.168 The details of these requirements are set out in the recommendation section at the start of this report.

K. ADDITIONAL CONSIDERATIONS

Public Sector Equality Duty

8.169 In making your decision you must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to
that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

- The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149 is only one factor that needs to be considered, and may be balance against other relevant factors.

- It is considered that the recommendation to grant permission in this case would not have a disproportionately adverse impact on a protected characteristic.

**Human Rights**

8.170 In making your decision, you should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as the London Borough of Waltham Forest to act in a manner that is incompatible with the European Convention on Human Rights.

8.171 You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation to grant permission in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

**L. CONCLUSION**

8.172 The proposed development would provide a high quality and sustainable mixed-use development providing 91 residential units, upgraded flexible commercial space and nursery for 53 children which is supported in Walthamstow Major Centre.

8.173 The proposed development would respond appropriately to the scale, height and massing of the local context. The design, materials and appearance of the resulting building would be of high quality that would complement the local area.
8.174 The proposed development would have some amenity impacts on neighbouring residential and commercial developments however these are considered to be within acceptable bounds at this constrained site within Walthamstow Major Centre.

8.175 The proposed development would have an acceptable impact on highway safety/traffic and would involve highways works that would enhance the public realm and highways around the site.

8.176 The development would incorporate the highest environmental standards; delivering target energy reduction measures and meeting the required carbon dioxide reduction targets.

8.177 The development would provide adequate bin storage facilities.

8.178 The development would retain a mature oak tree and would provide an acceptable landscaping plan that would provide acceptable green infrastructure on the site.

8.179 The proposed development would achieve appropriate safety and security measures.

8.180 The conditions set out in the Unilateral Undertaking Heads of Terms agreed would ensure that any adverse impacts from the scheme are mitigated and the positive aspects of the proposal set out by the applicant are carried out on implementation.

8.181 All material planning considerations have been taken into account, including responses to consultation, and it is not considered that there are any grounds that would warrant a refusal of the planning application.

8.182 Due to the above considerations and taking into account the merits of the scheme and the consistency of the development when assessed against the Development Plan, the proposed development is supported.

9. RECOMMENDATION

9.1 The Planning Committee is requested to grant planning permission subject to conditions and informatives, completion of a Unilateral Undertaking and Stage 2 Referral to the GLA.

CONDITIONS

9.2 The following conditions are in draft and have not been agreed with the applicant. It is likely that the list below will be amended prior to the Committee meeting.

Time Limit

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended).

Approved Plans and Documents

2. The development hereby approved shall be carried out in accordance with the following drawings and documents:

- 021_PL_001 – Site Location Plan
- 021_PL_002 – Existing Site Plan
- 021_PL_100 - C – Ground Floor Plan
- 021_PL_101 - C – Podium Floor Plan
- 021_PL_102 - B – First Floor Plan
- 021_PL_103 - B – Second Floor Plan
- 021_PL_104 - B – Third Floor Plan
- 021_PL_105 - B – Fourth Floor Plan
- 021_PL_106 - B – Fifth Floor Plan
- 021_PL_107 - B – Sixth Floor Plan
- 021_PL_108 - B – Seventh Floor Plan
- 021_PL_109 - B – Eighth Floor Plan
- 021_PL_110 - B – Ninth Floor Plan
- 021_PL_111 - A – Tenth-Fifteenth Floor Plan
- 021_PL_112 - B – Roof Plan
- 021_PL_200 - A – North Elevation
- 021_PL_201 - A – South Elevation
- 021_PL_202 - A – East and West Elevation
- 021_PL_203 – Section G-G
- 021_PL_204 – Section F-F
- 021_PL_400 - B – Typical Flat Layouts Block A
- 021_PL_401 - B – Typical Flat Layouts Block B
- 021_PL_402 - A – Typical Flat Layouts Block C
- 021_PL_500 – Typical Detail 01
- 021_PL_501 – Typical Detail 02
- 021_PL_502 – Typical Detail 03
- 021_PL_503 -A – Typical Detail 04
- 021_PL_600 – CGI 001
- 021_PL_601 – CGI 002
- 021_PL_602 – CGI 003

- 223-P-100 B Illustrative Landscape Masterplan (Roof Plan) B
- 223-P-101 C Landscape Layout - Lower Ground Floor C
- 223-P-102 B Landscape Layout - Upper Ground Floor B
- 223-P-300 Landscape Section - Northern Access Route
- 223-P-301 B Landscape Section - Hoe Street Terraces_Sheet 1 of 3
- 223-P-302 A Landscape Section - Garden Square
- 223-P-303 A Landscape Section - Garden Square
- 223-P-304 Landscape Section - Podium
- 223-P-305 A Landscape Section - Hoe Street Terraces (Long)
Area Schedules
- 021_SK_084-K – Residential Areas Schedules
- 021_SK_250-C – Detailed Area Schedule
- 2018_12_12_Juniper House_Schedule of Accommodation_Rev E -1.0

Supporting Documents
- Acoustic Design Statement (RPS)
- Air Quality Assessment (RPS)
- Air Quality Neutral Calculation (RPS)
- Arboricultural Impact Assessment Parts 1 and 2 (Haydens)
- BREEAM Pre-Assessment Reports (RPS)
  - Nursery BREEAM Pre-Assessment Report
  - Retail BREEAM Pre-Assessment Report
  - Nursery – BE CLEAN Report
  - Nursery – BE GREEN Report
  - Nursery – BE LEAN Report
  - Retail – BE CLEAN Report
  - Retail – BE GREEN Report
  - Retail – BE LEAN Report
- Construction Logistics Plan (RPS) updated April 2019
- Daylight/Sunlight Report Parts 1_3-3_3 (GL Hearn)
- Delivery and Servicing Plan (RPS)
- Design and Access Statement (PTE) updated April 2019
  - Juniper House Design and Access Statement DAS REV F – F1-F7
- Draft Framework Travel Plan (RPS)
  - JNY9462-04b Framework Travel Plan_281118 Parts 1-8
- Drainage Statement (Price & Myers) Parts 1-2
- EIA Screening Report (GL Hearn)
- Energy Report (RPS) updated April 2019
- Financial Viability Statement (GL Hearn) updated April 2019
- Flood Risk Assessment (SLR) Parts 1-2
- Landscape Design and Access Statement (AREA) REV B updated April 2019
- Overheating Report (RPS)
- Planning Statement (GL Hearn)
- Preliminary Ecological Appraisal (RPS)
- Soil Investigation Report (Ground Investigation Ltd)
- Statement of Community Involvement (GL Hearn)
- Sustainability Statement (RPS)
- Townscape Impact Assessment (?)
- Transport Assessment (RPS)
- Utilities Report (Hill)
- Ventilation Report (RPS)
• Verified Views (Ninety 90)
• Wind and Microclimate Report (Price & Myers)

Reason: For the avoidance of doubt and in the interests of proper planning.

Materials

3. Prior to the commencement of development, notwithstanding site clearance and investigation works, demolition and construction to slab level, samples and a schedule of materials to be used in the construction of the external surfaces of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained as such for the lifetime of the development.


Construction Logistics Plan

4. No development shall take place on site, including site preparation works, until a detailed Construction Logistics Plan and Delivery and Servicing Plan (DSP) has been submitted to and approved in writing by the local planning authority. The Construction and Logistics Plan and Delivery and Servicing Plan must be submitted using the TfL template and guidance found here: www.constructionlogistics.org.uk. The logistics plan shall include details of site access, journey planning, access routes, hours of deliveries, temporary traffic arrangements or restrictions, site operation times, loading and unloading locations and material storage. All works shall be carried out in accordance with the approved details and the Construction and Logistics Plan and Delivery and Servicing Plan should be implemented throughout all demolition and construction works.

Reason: To ensure considerate construction and to protect the amenities of the nearby residents to ensure that disruption is kept to a minimum and does not affect highway traffic flows to comply with Policies CS7 and CS13 of the adopted Waltham Forest WFLP Core Strategy (2012) and Policies DM14 DM15, DM24 and DM32 of the adopted Waltham Forest Local Plan – Development Management Policies (2013).

Highways Condition Survey

5. Prior to the commencement of development hereby permitted, a specification for a highway condition survey to assess the condition of highway before and after construction works and a timescale for carrying out the condition survey shall be submitted to and approved in writing by the local planning authority. The highway condition survey shall then be
carried out in accordance with the approved details and timescales. Should the post construction survey identify any damage to the highway caused by the construction works, details of measures to make good the highway, including timescales, should submitted to and approved in writing by the local planning authority. The approved works should then be carried out in accordance with the approved details.


**Car Parking Management Plan**

6. Prior to occupation of any part of the development on the site, a detailed car park management plan shall be submitted to and approved in writing by the local planning authority. The plan shall include details of the location of the electric vehicle charging units. The car park shall be managed in accordance with the approved details unless otherwise agreed in writing by the local planning authority.


**Cycle Parking**

7. Prior to occupation of any part of the development details of cycle parking and storage shall be submitted and approved by the local planning authority. The cycle parking shall be installed in accordance with the approved plans and thereafter be permanently retained unless otherwise agreed in writing by the local planning authority.


**Detail of Boilers**

8. Prior to installation, details of the boilers shall be submitted to the Local Planning Authority for approval. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%). The boilers shall thereafter be maintained in accordance with the approved details unless otherwise agreed in writing.

Emissions from Non-road mobile machinery (NRMM)

9. No NRMM shall be used on the site unless it is compliant with the NRMM Low Emission Zone requirements (or any superseding requirements) and until it has been registered for use on the site on the NRMM register (or any superseding register).

Reason: To ensure that air quality is not adversely affected by the development in line with London Plan Policy 7.14 and the Mayor’s SPG: The Control of Dust and Emissions during Construction and Demolition.

Air Quality and Dust Management Plan (AQDMP)

10. No demolition or development shall commence until full details of the proposed mitigation measures for impact on air quality and dust emissions, in the form of an Air Quality and Dust Management Plan (AQDMP), have been submitted to and approved in writing by the local planning authority. In preparing the AQDMP the applicant should follow the guidance on mitigation measures for sites set out in Appendix 7 of the Control of Dust and Emissions during Construction and Demolition SPG 2014. Both ‘highly recommended’ and ‘desirable’ measures should be included. If the development is located in or near an air quality focus area the applicant should follow the guidance on mitigation measures for Medium Risk as a minimum.

Reason: Development must not commence before this condition is discharged to manage and mitigate the impact of the development on the air quality and dust emissions in the area and London as a whole, and to avoid irreversible and unacceptable damage to the environment (London Plan policies 5.3 and 7.14, and the London Plan SPGs for Sustainable Design and Construction and Control of Dust and Emissions during Construction and Demolition).

Construction/Demolition Method Statement

11. Once appointed the principal contractor shall submit a construction/demolition method statement to be approved in writing by, the Local Planning Authority. The method statement shall include details of the following:-

- Works of demolition and construction shall be carried out during normal working hours, i.e. 08:00 to 18:00 hours Monday to Friday, and 08:00 to 13:00 hours on Saturdays, with no noisy working audible at the site boundary being permitted on Sundays or Bank Holidays.
Construction Vehicle Access Strategy to be submitted and agreed by LBWF

Likely noise levels to be generated from plant

Details of any noise screening measures

Proposals for monitoring noise and procedures to be put in place where agreed noise levels are exceeded

Where works are likely to lead to vibration impacts on surrounding residential properties, proposals for monitoring vibration and procedures to be put in place if agreed vibration levels are exceeded. Note: it is expected that vibration over 1mm/s measured as a peak particle velocity would constitute unreasonable vibration.

The method statement shall make reference to and comply with The Mayor of London’s supplementary planning guidance (SPG) ‘The control of dust and emissions from construction and demolition’ https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/control-dust-and

In particular the applicant shall

- Submit for approval an Air Quality (dust) risk assessment
- Submit an for approval Air Quality & Dust management Plan
- Equipment and plant used on site shall comply with the requirements for ‘Non-Road Mobile Machinery’ (NRMM)
- Submit a for approval Dust monitoring programme

All the above submissions shall have regard to the Mayor’s SPG

There is a medium probability of UXO encounter. As such there should be inclusion of a toolbox talk specifically for ground-workers.

Reference shall be made to:

- BRE four part Pollution Control Guides ‘Controlling particles and noise pollution from construction sites’.
- BS 5228: Noise and vibration on construction and open sites

Reason: To ensure considerate construction and to protect the amenities of the nearby residents from excessive noise and dust and to comply with Policies CS7 and CS13 of the adopted Waltham Forest WFLP Core Strategy (2012) and Policies DM14, DM15, DM24 and DM32 of the adopted Waltham


For

Environmental Noise

12. Prior to occupation of the development hereby permitted, The developer shall certify to the local planning authority that the noise mitigation measures outlined in the accompanying acoustic assessment have been implemented.

Noise mitigation measures should produce internal noise levels specified in table 4 section 7.7.2 of BS8233 and meet the WHO night time noise standard of 40 dB LAmax. The mechanical ventilation system shall meet or exceed the specifications set out in clause 6, schedule 1 of the Noise Insulation Regulations 1975 with regard to acoustic performance and airflow rates. Alternative schemes that meet the above noise and ventilation standards can be considered. The approved scheme is to be completed prior to the occupation of the development and shall be permanently maintained thereafter.


Noise levels from extract systems and flues

13. Noise arising from the use of extractor fans or any other site equipment shall not increase the existing background noise level (LA90 5mins) when measured (LAeq 5mins) 1 metre external from the nearest residential or noise sensitive premises. The applicant shall also ensure that vibration/structure borne noise derived from the use of extractor fans does not cause noise nuisance within residential or noise sensitive premises.


Vibration from extract systems

14. The plant shall not operate unless it is supported on adequate proprietary anti-vibration mounts to prevent the structural transmission of vibration and regenerated noise within adjacent or adjoining premises, and these shall be so maintained thereafter.

Reason: To protect the amenities of adjoining properties and the surrounding area in accordance with Policy CS13 of the adopted Waltham

New Plant

15. Noise from all new building services plant for the lifetime of the development shall be controlled to a level not exceeding 10dB(A) below the typical underlying background noise level (LA90) during the time of plant operation at a position one metre external to the nearest noise sensitive premises. The underlying background LA90 shall be determined in the absence of the new plant noise. This assessment shall be completed in accordance with BS4142: ‘Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas’.


Sound Insulation between residential and commercial

16. Prior to the commencement of the development, a sound insulation Planning Authority, which will incorporate details of sound insulation to be installed between the commercial premises and residential premises in order to manage noise and disturbance. The scheme of noise insulation measures shall be prepared by a suitably qualified consultant/engineer and shall demonstrate that the proposed sound insulation will achieve a level of protection which is at least +5dB above the Approved Document E standard (Dwelling houses and flats) for airborne sound insulation and -5dB for impact sound insulation. The development shall be carried out in accordance with the approved scheme and shall be fully implemented prior to the development hereby approved first being brought into use and shall thereafter maintained as such for the lifetime of the development.


Delivery hours

17. No deliveries shall be taken to, or despatched from, the site other than between the hours of 9.30 and 14.30 and 18.00 and 21.00 Mondays to Friday, 09.30 to 21.00 Saturdays and no time on Sundays, Bank Holidays or Public Holidays.
Reason: To safeguard the amenities of neighbouring residential properties, in order to comply with Policy CS13 of the Waltham Forest Local Plan WFLP Core Strategy (2012) and Policies DM24 and DM32 of the Waltham Forest Local Plan Development Management Policies (2013), and to reduce the risk of collisions with vulnerable road users and reduce congestion on local roads in order to comply with Policy CS7 of the Waltham Forest Local Plan WFLP Core Strategy (2012).

**Commercial Floorspace**

18. The commercial floorspace hereby permitted shall be used for purposes falling within either Classes B1a, A1, A3, A4 or D1 of the Town and Country Planning (Use Classes Order) 1987 (as amended) or any subsequent amendment.


19. Prior to the commencement of any part of the commercial floorspace hereby permitted for purposes falling within Class A3 of the Town and Country Planning (Use Classes Order) 1987 (as amended) details of a scheme for the extraction and ventilation of cooking fumes shall be submitted and approved in writing by the local planning authority. The approved details shall be installed before the A3 use commences and they shall thereafter be permanently maintained and retained.


20. The flexible commercial unit within the development shall only operate between the following hours and at no other times without the prior written consent of the Local Planning Authority

- Monday to Friday: 0700 until 2300
- Saturday 0700 until 2300
- Sunday: 0900 until 2300


**Landscaping**
21. Prior to the commencement of the development, a scheme of hard and soft landscape works which shall include a survey of all existing trees and hedgerows on the land, indicating those to be retained and those to be lost shall be submitted to and approved in writing by the Local Planning Authority. Details of those to be retained, together with measures for their protection in the course of the development, shall also be submitted and approved, and carried out in accordance with such approval, prior to any demolition or any other site works, and retained until the development is completed. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers/densities within a planting schedule, also the method of planting including soil composition, tying and staking, a maintenance care regime including mulching and watering and the replacement of any species that die within 5 years of planting.


Waste Management Strategy

22. Prior to the commencement of works, a Waste and Refuse Management Strategy incorporating full details of the measures to store and collect refuse and recyclable materials, shall be submitted to and approved in writing by the Local Planning Authority. The strategy must also include the design and construction of stores and the means of access for collection by refuse operatives and vehicles. The development shall be implemented in accordance with the approved details and the refuse/recycling stores brought into use prior to the first occupation of any part of the development hereby permitted.

Reason: In the interests of highway and pedestrian safety in accordance with policies CS7 and CS15 of the Waltham Forest Local Plan WFLP Core Strategy (2012).

Carbon Emission Reductions

23. Prior to the occupation of any part of the development hereby permitted, a report demonstrating how the scheme reduces the carbon dioxide emissions of the development by at least 35% compared to the 2013 Building Regulations shall be submitted to, and approved in writing by, the Local Planning Authority. The report shall reference the measures set out in the Energy Statement accompanying the planning application, but shall explain what measures have been implemented in the construction of the development. The development and energy efficiency measures shall thereafter be retained.

Reason:
In the interests of the sustainability and energy efficiency of the development and to meet the requirements of Policy 5.2 of the London Plan (2015) and Waltham Forest Policy DM10.

**Sustainable Design Standards**

24. The commercial floor space hereby permitted shall be constructed to achieve not less than BREEAM ‘Very Good’ in accordance with the submitted Retail and Nursery BREEAM Pre-Assessment Reports (or the equivalent standard in such measure of sustainability for non-residential building design which may replace that scheme). The commercial floor space shall not be occupied until formal certification has been issued confirming that not less than ‘Very Good’ has been achieved and this certification has been submitted to, and approved in writing by, the Local Planning Authority.”

Reason:

In the interest of sustainability, energy efficiency and to provide a high quality development in accordance with Policy CS4 of the Waltham Forest Local Plan WFLP Core Strategy (2012) and Policy DM10 of the Waltham Forest Local Plan Development Management Policies (2013).”

**Water Use Reduction**

25. Prior to the commencement of development, a scheme detailing measures to reduce water use within the development, to meet a target water use of 105 litres or less per person, per day, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved scheme and thereafter retained.

Reason: To minimise the water use of the development, in accordance with the requirements of Policy 5.15 of the London Plan (2015)

**Contamination**

26. **Condition A for Commercial / residential block**

Based on the findings of the Ground Investigation Report by Ground Engineering (Ref: C13820) and the Updated Conceptual Model, the details in the Report shall be followed.

- No development shall take place until a detailed remediation strategy to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the LPA. The strategy must include proposed remediation objectives and remediation criteria.

- During the course of the construction and carrying out of the approved development, if any unforeseen contamination not previously identified is found at any time during clearance or construction works, it must be reported without delay to the LPA. The development shall not proceed further until an assessment of that contamination and the preferred
remedial measure to remove or break the relevant pollutant linkage has been submitted to and approved in writing by the Local Planning Authority.

- Prior to occupation of the development, a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

**Reason:** In the interests of future health of occupiers of the development and to protect pollution of groundwater, in accordance with policies CS4 and CS13 of the adopted Waltham Forest Local Plan - WFLP Core Strategy (2012) and policies DM23, DM24 and DM34 of the adopted Waltham Forest Local Plan Development Management Policies (Oct 2013)

27. **Condition B for the Nursery**

   Based on the findings of the Ground Investigation Report by Ground Engineering (Ref: C13820), the details in the Updated Conceptual Model shall be carried out be followed.

- No development shall take place until a detailed remediation strategy to bring the site to a condition suitable for the intended use has been submitted to and approved in writing by the LPA. The strategy must include proposed remediation objectives and remediation criteria.

- During the course of the construction and carrying out of the approved development, if any unforeseen contamination not previously identified is found at any time during clearance or construction works, it must be reported without delay to the LPA. The development shall not proceed further until an assessment of that contamination and the preferred remedial measure to remove or break the relevant pollutant linkage has been submitted to and approved in writing by the Local Planning Authority.

- Prior to occupation of the development, a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

**Reason:** In the interests of future health of occupiers of the development and to protect pollution of groundwater, in accordance with policies CS4 and CS13 of the adopted Waltham Forest Local Plan - WFLP Core Strategy (2012) and policies DM23, DM24 and DM34 of
the adopted Waltham Forest Local Plan Development Management Policies (Oct 2013)

28. No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

**Reason:** In the interests of future health of occupiers of the development and to protect pollution of groundwater in accordance with policies CS4 and CS13 of the Waltham Forest Local Plan - WFLP Core Strategy (2012) and policies DM23, DM24 and DM34 of the Waltham Forest Local Plan Development Management Policies (2013).

29. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

**Reason:** In the interests of future health of occupiers of the development and to protect pollution of groundwater in accordance with policies CS4 and CS13 of the Waltham Forest Local Plan - WFLP Core Strategy (2012) and policies DM23, DM24 and DM34 of the Waltham Forest Local Plan Development Management Policies (2013).

**Safety and Security**

**Fire Safety**

30. Prior to commencement of development (other than demolition, site clearance and preparation, ground works and development below DPC level) a Fire Safety Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement should detail how the development proposal will function in terms of:

- the building’s construction: methods, products and materials used
- the means of escape for all building users: stair cores, escape for building users who are disabled or require level access, and the associated management plan approach
- access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these
how provision will be made within the site to enable fire appliances to gain access to the building.

The development shall be implemented in accordance with the approved details and retained as such for the lifetime of the development.

REASON: In order to protect the living conditions and safety and security of the occupants in line with London Plan Policy 7.13 (2016).

Secure by Design

31. Prior to occupation, the development shall achieve a Certificate of Compliance to the relevant Secure by Design Guide(s) or alternatively achieve Crime Prevention Standards submitted to and approved in writing by the Local Planning Authority in conjunction with the Metropolitan Police. The development shall be carried out in accordance with the approved details and thereafter shall be fully retained and maintained as such for the lifetime of the development.


Railway Land Fencing

32. Details of fencing/boundary treatment with the adjacent railway land to the north of the site must be agreed in writing with the Local Planning Authority in consultation with Network Rail. The development shall be carried out in accordance with the approved details and maintained in perpetuity.


Trees

33. No development whatsoever shall take place in relation to the development hereby approved including site clearance and investigations as well as preparatory work, until a scheme for the protection of the retained trees (the Tree Protection Plan) and the appropriate working methods (the Arboricultural Method Statement) in accordance with British Standard BS5837: 2012 - Trees in Relation to design, demolition and construction – Recommendations, has been submitted by a suitably qualified arboriculturalist to be agreed in writing by the local planning authority. The approved measures shall be implemented prior to the commencement of site clearance, preparatory
work and development and shall be retained for the entirety of the construction period.


**Landscaping Management**

34. Prior to the commencement of the development on site, notwithstanding site investigation and clearance works, demolition and construction to slab level, a Landscape Management Plan, which includes long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority. The approved Landscape Management Plan shall be implemented prior to the first occupation of the development hereby approved and thereafter maintained for the lifetime of the development.


**Drainage**

35. Prior to commencement of the development with the exception of demolition, infiltration testing must be carried out in accordance with BRE digest 365 to confirm (or otherwise) the suitability of the site for the use of infiltration as a SuDS drainage element. The drainage strategy and SuDS design must be updated accordingly to reflect the results. Details shall be submitted to and approved by the Lead Local Flood Authority.

Reason: To prevent the increased risk of flooding, both on- and off-site ensure that adequate drainage facilities are provided in accordance with policies CS4 and CS15 of the Waltham Forest Local Plan - WFLP Core Strategy (2012) and Policy DM34 of the Waltham Forest Local Plan – Development Management Policies (2013).

36. Prior to commencement of the development with the exception of demolition, infiltration testing must be carried out in accordance with BRE digest 365 to confirm (or otherwise) the suitability of the site for the use of infiltration as a SuDS drainage element. The drainage strategy and SuDS design must be updated accordingly to reflect the results. Details shall be submitted to and approved by the Lead Local Flood Authority.
Reason: To prevent the increased risk of flooding, both on- and off-site ensure that adequate drainage facilities are provided in accordance with policies CS4 and CS15 of the Waltham Forest Local Plan - WFLP Core Strategy (2012) and Policy DM34 of the Waltham Forest Local Plan – Development Management Policies (2013).

Informatives

1. To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council’s website and which offers a pre planning application advice service. The scheme was submitted in accordance with guidance following pre-application discussions and the decision was delivered in a timely manner.

2. Construction and demolition works audible beyond the boundary of the site should only be carried out between the hours of 0800 and 1800 hours Mondays to Fridays and 0800 and 1300 hours on Saturdays, and not at all on Sundays or Public/Bank Holidays.

3. With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. [https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services](https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services)

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water’s Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you’re planning significant works near our mains (within 3m) we'll need to check that your development doesn’t reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our
guide working near or diverting our pipes.
https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes

4. The property lies within an area of the borough that has been identified as being at potential risk from buried explosive ordnance due to wartime bombing. It is recommended that professional advice is obtained and a risk assessment undertaken to identify and analyse any threat posed by ordnance before works commence.

5. If approved it is the developer’s responsibility to ensure all signage associated with the proposed development i.e. street nameplates, building names and door numbers are erected prior to occupation, as agreed with the Councils Street Naming/Numbering Officer.

6. In the event that asbestos containing materials (ACMs) are discovered, details of the contractors with their plan of work detailing the method of removal of ACMs in compliance with current legislation shall be submitted to the HSE.

7. For information on the NRMM Low Emission Zone requirements and to register NRMM, please visit “http://nrmm.london/”.

The AQDMP can form part of the Construction Environmental Management Plan (CEMP). The AQDMP shall include the following for each relevant phase of work (demolition, earthworks, construction and trackout):

a) A summary of work to be carried out;

b) Proposed haul routes, location of site equipment including supply of water for damping down, source of water, drainage and enclosed areas to prevent contaminated water leaving the site;

c) Inventory and timetable of all dust and NOx air pollutant generating activities;

d) List of all dust and emission control methods to be employed and how they relate to the Air Quality (Dust) Risk Assessment;

e) Details of any fuel stored on-site;

f) Details of a trained and responsible person on-site for air quality (with knowledge of pollution monitoring and control methods, and vehicle emissions);

g) Summary of monitoring protocols and agreed procedure of notification to the local authority; and

h) A log book for action taken in response to incidents or dust-causing episodes and the mitigation measure taken to remedy any harm caused, and measures employed to prevent a similar incident reoccurring.

Developments assessed to be medium risk or greater for any of the steps required in an Air Quality and Dust Risk Assessment (AQDRA) regular or continuous PM10 monitoring should be carried out on site. Baseline monitoring should commence 3 months before the commencement of works and continue throughout all construction phases. Details of the equipment to be used, its positioning, additional mitigation to be employed
during high pollution episodes and a proposed alert system should be submitted to the Council for approval. No demolition or development shall commence until all necessary pre-commencement measures described in the AQDMP have been put in place and set out on site. The demolition and development shall thereafter be carried out and monitored in accordance with the details and measures approved in the AQDMP. The IAQM “Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites” details appropriate monitoring for the scale of the site or project.

The applicant must seek the advice of the Metropolitan Police Service Designing Out Crime Officers (DOCOs). The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or 0208 217 3813.